



The Journal OF THE *House of Representatives*

Number 29

Thursday, March 1, 2012

The House was called to order by the Speaker at 10:00 a.m.

Prayer

The following prayer was offered by Reverend Greg Johnson of Generations Christian Church, upon invitation of Rep. Legg:

God of heaven and earth, first and foremost, we exalt You and give You all glory and honor for it is rightfully Yours.

Father, in a moment where discussions and decisions have enormous implications for millions of Floridians, we want to follow in the steps of George Washington who called upon You for help as he became our nation's first president. And so, God, it is fitting as this session begins that we call upon You for help as well.

God, You are active in affairs of the human family across this world and You know, all too well, people in our nation are divided and discouraged and even skeptical. Hear my prayer, O God, and extend Your mercy, grace, and kindness to us all. And, God, let it begin right here, in this room, with our leaders.

My prayer is for each representative here to be keenly aware that You are the author of life, a generous and good God, and You've put each one of these leaders in a position of influence to make a difference on behalf of millions of Floridians. We know that their task, their work, is not easy.

So, Lord, my cry is that each issue in front of these men and women will be graciously considered from two perspectives. First, does it honor You? For if it does not, we will not be in a place, O God, where You can bless. And secondly, does it bring justice, dignity, and blessing to millions of us who live in Florida?

Finally, Lord, I intercede on behalf of each person here. Their jobs here require travel and extended time away from family. And I pray for those who are married, that you will bless and protect their marriages. I pray for those with children, that they may carve out quality time with their families. And most of all, Lord, none of us can give what we do not have. So I ask that each person here will replenish themselves day by day in Your amazing grace.

Lord, I submit this prayer to you in the name of my Lord and Savior, Jesus Christ. Amen.

The following members were recorded present:

Session Vote Sequence: 1007

Speaker Cannon in the Chair.

Abruzzo	Ahern	Artiles	Baxley
Adkins	Albritton	Aubuchon	Bembry

Berman	Fullwood	McKeel	Saunders
Bernard	Gaetz	Metz	Schenck
Bileca	Garcia	Moraitis	Schwartz
Boyd	Gibbons	Nehr	Slosberg
Brandes	Glorioso	Nelson	Smith
Brodeur	Gonzalez	Nuñez	Snyder
Broxson	Goodson	O'Toole	Soto
Bullard	Grant	Oliva	Stafford
Burgin	Grimsley	Pafford	Stargel
Caldwell	Harrell	Passidomo	Steube
Campbell	Harrison	Patronis	Taylor
Cannon	Holder	Perman	Thompson, G.
Chestnut	Hooper	Perry	Thurston
Clarke-Reed	Horner	Pilon	Tobia
Clemens	Hudson	Plakon	Trujillo
Coley	Hukill	Porter	Van Zant
Corcoran	Ingram	Porth	Waldman
Costello	Jenne	Precourt	Watson
Crisafulli	Jones	Proctor	Weatherford
Cruz	Julien	Ray	Weinstein
Davis	Kiar	Reed	Williams, A.
Diaz	Kreegel	Rehwinkel Vasilinda	Williams, T.
Dorworth	Kriseman	Renuart	Wood
Drake	Legg	Roberson, K.	Workman
Eisnaugle	Logan	Rogers	Young
Ford	Lopez-Cantera	Rooney	
Fresen	Mayfield	Rouson	
Frishe	McBurney	Sands	

(A list of excused members appears at the end of the *Journal*.)

A quorum was present.

Pledge

The members, led by the following, pledged allegiance to the Flag: Molly Pittman of Tallahassee at the invitation of the Speaker; Melissa Sims of Tallahassee at the invitation of Rep. A. Williams; Baylee Thompson of Tallahassee at the invitation of Rep. Drake; and Alexa Traviesa of Tampa at the invitation of Rep. Lopez-Cantera.

House Physician

The Speaker introduced Dr. Jason Pirozzolo of Winter Garden, who served in the Clinic today upon invitation of Rep. Dorworth.

Correction of the *Journal*

The *Journal* of February 29 was corrected and approved as follows: On page 924, column 1, line 10 from the top, delete all of said line and insert "So the bill passed and was immediately certified to the Senate." in lieu thereof.

And on page 959, column 1, between lines 6 and 7 from the bottom, insert "Under Rule 11.7(i), the memorial was immediately certified to the Senate."

And on the same page, column 2, between lines 16 and 17 from the bottom, insert "Under Rule 11.7(i), the memorial was immediately certified to the Senate."

And on page 962, column 2, line 18 from the top, delete all of said line and insert "Under Rule 11.7(i), the memorial was immediately certified to the Senate." in lieu thereof.

Reports of Standing Committees and Subcommittees

Reports of the Rules & Calendar Committee

The Honorable Dean Cannon
Speaker, House of Representatives

February 28, 2012

Dear Mr. Speaker:

Your Rules & Calendar Committee herewith submits the Special Order for Thursday, March 01, 2012. Consideration of the House bills on Special Orders shall include the Senate Companion measures on the House Calendar.

I. Consideration of the following bills:

- CS/CS/CS/HB 1205 - State Affairs Committee, Appropriations Committee, & others
Drug-Free Workplace Act
- CS/CS/CS/HB 903 - Education Committee, PreK-12 Appropriations Subcommittee, & others
Charter Schools
- CS/CS/CS/HB 859 - Education Committee, PreK-12 Appropriations Subcommittee, & others
Florida Tax Credit Scholarship Program
- HB 7129 - Education Committee, Proctor
State Universities of Academic and Research Excellence and National Preeminence
- CS/CS/CS/HB 1403 - Education Committee, Rules & Calendar Committee, & others
High School Athletics
- CS/CS/HB 119 - Economic Affairs Committee, Insurance & Banking Subcommittee, & others
Motor Vehicle Insurance
- CS/HB 1207 - Economic Affairs Committee, Brandes, & others
Vehicles with Autonomous Technology
- CS/HJR 1003 - Economic Affairs Committee, Eisnagle
Tangible Personal Property Tax Exemptions & Ad Valorem Tax Relief
- CS/CS/CS/HB 711 - Health & Human Services Committee, Community & Military Affairs Subcommittee, & others
Sale or Lease of a County, District, or Municipal Hospital
- CS/CS/CS/HB 1263 - Health & Human Services Committee, Appropriations Committee, & others
Department of Health
- CS/CS/CS/HB 1399 - Economic Affairs Committee, Transportation & Economic Development Appropriations Subcommittee, & others
Transportation
- CS/CS/HB 495 - State Affairs Committee, Government Operations

Subcommittee, & others
State University System Optional Retirement Program

HB 1297 - Jenne
City of Dania Beach, Broward County

CS/HB 1211 - Community & Military Affairs Subcommittee, Jenne
Coral Springs Improvement District, Broward County

HB 1153 - Jenne
Broward County

A quorum was present in person, and a majority of those present agreed to the above Report.

Respectfully submitted,
Gary Aubuchon, Chair
Rules & Calendar Committee

On motion by Rep. Aubuchon, the above report was adopted.

Bills and Joint Resolutions on Third Reading

Consideration of **CS/CS/HB 565** was temporarily postponed.

CS/CS/HB 431—A bill to be entitled An act relating to the joint use of public school facilities; creating s. 1013.105, F.S.; providing legislative findings; encouraging each district school board to adopt written policies to promote public access to outdoor recreation and sports facilities on school property, to increase the number of joint-use agreements, and to develop and adopt policies and procedures for an appeal process if negotiations for a joint-use agreement fail; providing duties of district school boards and the Department of Education; creating s. 768.072, F.S.; providing immunity from liability for a district school board that adopts public access policies or enters into a joint-use agreement except in instances of gross negligence or intentional misconduct; defining the term "gross negligence"; providing application; providing an effective date.

—was read the third time by title.

Representative Nehr offered the following:

(Amendment Bar Code: 674097)

Amendment 1 (with title amendment)—Remove lines 76-79 and insert:
(2) This section does not change liability for injury, damage, or death that occurs during school hours or during a school-related or school-sponsored activity.

TITLE AMENDMENT

Remove lines 16-17 and insert:
intentional misconduct; providing application; providing an

Rep. Nehr moved the adoption of the amendment, which was adopted by the required two-thirds vote.

The question recurred on the passage of **CS/CS/HB 431**. The vote was:

Session Vote Sequence: 1008

Speaker Cannon in the Chair.

Yeas—115

Abruzzo	Aubuchon	Bileca	Bullard
Adkins	Baxley	Boyd	Burgin
Ahern	Bembry	Brandes	Caldwell
Albritton	Berman	Brodeur	Cannon
Artiles	Bernard	Broxson	Chestnut

Clarke-Reed	Hager	Nelson	Schenck
Clemens	Harrell	Núñez	Schwartz
Coley	Harrison	O'Toole	Slosberg
Corcoran	Holder	Oliva	Smith
Costello	Hooper	Pafford	Snyder
Crisafulli	Horner	Passidomo	Soto
Cruz	Hudson	Patronis	Stafford
Davis	Hukill	Perman	Stargel
Diaz	Ingram	Perry	Steube
Dorworth	Jenne	Pilon	Taylor
Drake	Jones	Plakon	Thompson, G.
Eisnaugle	Julien	Porter	Thurston
Ford	Kiar	Porth	Tobia
Fresen	Kreegel	Precourt	Trujillo
Frishe	Kriseman	Proctor	Van Zant
Fullwood	Legg	Ray	Waldman
Gaetz	Logan	Reed	Watson
Garcia	Lopez-Cantera	Rehwinkel Vasilinda	Weatherford
Gibbons	Mayfield	Renuart	Weinstein
Glorioso	McBurney	Roberson, K.	Williams, T.
Gonzalez	McKeel	Rogers	Wood
Goodson	Metz	Rooney	Workman
Grant	Moraitis	Sands	Young
Grimsley	Nehr	Saunders	

Nays—None

Votes after roll call:

Yeas—Campbell, Rouson, Williams, A.

So the bill passed, as amended, and was immediately certified to the Senate after engrossment.

CS/CS/HB 3—A bill to be entitled An act relating to the prohibition of electronic gambling devices; providing a short title; transferring powers, duties, functions, records, personnel, rules, issues, filings, certifications, and existing contracts for administration and enforcement of specified provisions, relating to certain game promotions, from the Department of Agriculture and Consumer Services to the Department of Business and Professional Regulation; providing legislative findings and a declaration of intent and construction; amending s. 849.0935, F.S., relating to drawings by chance offered by nonprofit organizations; revising the definition of the term "drawing by chance" to include the term "raffle" within the meaning of the term and exclude the term "game promotions"; revising conditions for exceptions to prohibitions on lotteries; prohibiting the use of certain devices operated by drawing entrants; providing penalties; amending s. 849.094, F.S., relating to game promotions in connection with sale of consumer products or services; defining the term "department" as the Department of Business and Professional Regulation; revising definitions; prohibiting specified nonprofit organizations from operating a game promotion; providing conditions for exceptions to prohibitions on lotteries; prohibiting the use of certain devices operated by game promotion entrants; revising procedures for operation of a game promotion; providing for construction; providing penalties; providing that violations are deceptive and unfair trade practices; revising applicability provisions; amending s. 849.16, F.S.; defining the term "slot machine or device" for purposes of specified gambling provisions; providing a rebuttable presumption that a device, system, or network is a prohibited slot machine; reenacting and amending s. 849.161, F.S.; correcting a reference; amending s. 895.02, F.S.; revising the definition of the term "racketeering activity" to include violations of specified provisions; amending s. 721.111, F.S., relating to promotional offers; conforming cross-references; reenacting ss. 16.56(1)(a), 338.234(1), 655.50(3)(g), 849.19, 896.101(2)(g), and 905.34(3), F.S., relating to the Office of Statewide Prosecution, the Florida Turnpike, money laundering, seizure of property, the Florida Money Laundering Act, and a statewide grand jury, respectively, to incorporate changes made by the act in references thereto; providing an effective date.

—was read the third time by title.

THE SPEAKER PRO TEMPORE IN THE CHAIR

The question recurred on the passage of [CS/CS/HB 3](#). The vote was:

Session Vote Sequence: 1009

Representative Legg in the Chair.

Yeas—72

Adkins	Diaz	Julien	Porter
Ahern	Dorworth	Legg	Precourt
Albritton	Drake	Logan	Proctor
Artiles	Eisnaugle	Lopez-Cantera	Ray
Aubuchon	Ford	Mayfield	Renuart
Baxley	Frishe	McBurney	Roberson, K.
Bileca	Gaetz	McKeel	Schenck
Boyd	Glorioso	Metz	Smith
Brodeur	Grant	Moraitis	Snyder
Broxson	Hager	Nehr	Stargel
Burgin	Harrell	Nelson	Steube
Cannon	Harrison	Núñez	Trujillo
Chestnut	Holder	Oliva	Van Zant
Coley	Hooper	Pafford	Weatherford
Corcoran	Horner	Passidomo	Williams, T.
Costello	Hudson	Patronis	Wood
Crisafulli	Hukill	Perry	Workman
Davis	Ingram	Plakon	Young

Nays—43

Abruzzo	Fullwood	Perman	Soto
Bembry	Garcia	Pilon	Stafford
Berman	Gibbons	Porth	Taylor
Bernard	Gonzalez	Reed	Thompson, G.
Brandes	Goodson	Rehwinkel Vasilinda	Thurston
Bullard	Jenne	Rogers	Tobia
Caldwell	Jones	Rouson	Waldman
Clarke-Reed	Kiar	Sands	Watson
Clemens	Kreegel	Saunders	Weinstein
Cruz	Kriseman	Schwartz	Williams, A.
Fresen	O'Toole	Slosberg	

Votes after roll call:

Yeas—Campbell

Nays to Yeas—Pilon

So the bill passed, as amended, and was immediately certified to the Senate.

Abstain from Voting

I abstained from voting on this bill in caution relating to Rule 3.2 of the House of Representatives.. As there may be some potential direct impact with regards to gambling, to be abundantly cautious and maintain ethical voting I recues myself from this vote.

Representative Pat Rooney
District 83

Remarks

The Speaker recognized Representative Kreegel, who gave brief farewell remarks.

The Speaker recognized Representative Chestnut, who gave brief farewell remarks.

THE SPEAKER IN THE CHAIR

Special Debate Procedures

Rep. Aubuchon moved to adopt the following procedures for debate on third reading of bills on March 1, 2012.

Final debate on third reading of the bills listed below on the floor on March 1, 2012 shall be limited to no more than the time specified below, with the time equally divided. In addition to the allotted time, the sponsor will explain and

close each bill, each not to exceed 3 minutes. After opening the bill, the floor managers shall be alternately recognized until their time runs out. Time not utilized is lost.

The Majority and Minority Leaders may each designate one floor manager. The floor managers may speak in debate and yield time to other Members to debate. Recognitions of floor managers must go through the Speaker. A Member may not be recognized more than once in debate on the bill.

No Member may be recognized for debate unless a floor manager yields time to that Member.

There will be no other debate on these bills on March 1, 2012.

The time limitations for the bills are as follows:

CS/SB 98 Education	60
CS/CS/CS/HB 1191 Parent Empowerment in Education	20
CS/CS/CS/HB 1115 Teachers	20
HB 689 American Founders' Month	10
HB 1209 Application of Foreign Law in Certain Cases	20
HB 4001 Florida Climate Protection Act	10
CS/HB 813 – Eligibility for Temporary Cash Assistance	30
CS/CS/HB 1401 Public Assistance	20
CS/HB 277 Abortions	60
CS/CS/HB 1045 Mental Health	20

On motion by Rep. Aubuchon, Rule 10.12 was waived and the above special floor procedure was adopted by the required two-thirds vote.

CS for SB 98—A bill to be entitled An act relating to education; authorizing a district school board to adopt a policy that allows an inspirational message to be delivered by students at a student assembly; providing policy requirements; providing purpose; providing an effective date.

—was read the third time by title.

Representative Bullard offered the following:

(Amendment Bar Code: 238871)

Amendment 6 (with title amendment)—Between lines 30 and 31, insert:

(3) If the legality or constitutionality of a policy adopted by a district school board under this section is challenged in a court of law, the state is not liable for any costs or expenses incurred by the district to prepare or present a legal defense of the policy.

TITLE AMENDMENT

Remove line 6 and insert:

providing purpose; providing that the state is not liable for the district's costs or expenses of the legal defense of such policy; providing an effective date.

Rep. Bullard moved the adoption of the amendment, which failed to receive the required two-thirds vote for adoption.

Representative Pafford offered the following:

(Amendment Bar Code: 043009)

Amendment 7 (with title amendment)—Between lines 30 and 31, insert:

(3) If the legality or constitutionality of a policy adopted by a district school board under this section is challenged in a court of law, the state shall indemnify the district school board for any costs or expenses incurred to prepare or present a legal defense of the policy.

TITLE AMENDMENT

Remove line 6 and insert:

providing purpose; providing that the state shall indemnify the district school board for costs or expenses of the legal defense of such policy; providing an effective date.

Rep. Pafford moved the adoption of the amendment, which failed to receive the required two-thirds vote for adoption.

THE SPEAKER PRO TEMPORE IN THE CHAIR

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 1010].

The question recurred on the passage of **CS for SB 98**. The vote was:

Session Vote Sequence: 1011

Representative Legg in the Chair.

Yeas—88

Adkins	Davis	Kreegel	Ray
Ahern	Diaz	Legg	Reed
Albritton	Dorworth	Logan	Renuart
Artiles	Drake	Lopez-Cantera	Roberson, K.
Aubuchon	Eisnaugle	Mayfield	Rogers
Baxley	Ford	McBurney	Rooney
Bembry	Fresen	McKeel	Rouson
Bernard	Frishe	Metz	Schenck
Bileca	Gaetz	Moraitis	Smith
Boyd	Glorioso	Nehr	Snyder
Brandes	Gonzalez	Nelson	Stafford
Brodeur	Goodson	Nuñez	Stargel
Broxson	Grant	O'Toole	Steube
Burgin	Harrell	Oliva	Tobia
Caldwell	Harrison	Passidomo	Trujillo
Campbell	Holder	Patronis	Van Zant
Cannon	Hooper	Perry	Watson
Chestnut	Horner	Pilon	Weinstein
Coley	Hudson	Plakon	Williams, T.
Corcoran	Hukill	Porter	Wood
Costello	Ingram	Precourt	Workman
Crisafulli	Julien	Proctor	Young

Nays—27

Abruzzo	Garcia	Perman	Soto
Berman	Gibbons	Porth	Taylor
Bullard	Jenne	Rehwinkel	Vasilinda
Clarke-Reed	Jones	Sands	Thompson, G.
Clemens	Kiar	Saunders	Thurston
Cruz	Kriseman	Schwartz	Waldman
Fullwood	Pafford	Slosberg	Williams, A.

Votes after roll call:

Yeas—Weatherford

So the bill passed and was immediately certified to the Senate.

CS/CS/CS/HB 1191—A bill to be entitled An act relating to parent empowerment in education; amending s. 1001.10, F.S.; conforming a cross-reference; amending s. 1002.20, F.S.; authorizing parents of students who are assigned to certain underperforming public schools to submit a petition to the school district requesting implementation of a school turnaround option; requiring a school district, upon request, to provide a parent with a performance evaluation for each classroom teacher assigned to his or her child; requiring notification to the parent of each student who is assigned to a classroom teacher who is teaching out-of-field or who has received unsatisfactory performance evaluations; requiring such notification to include information about the availability of virtual instruction; amending s. 1002.32, F.S.; correcting a cross-reference; amending s. 1002.33, F.S.; requiring charter schools to be in compliance with statutes relating to notifications and assignment of teachers; creating s. 1003.07, F.S., the Parent Empowerment Act; requiring each school district to notify parents of students attending a

lowest-performing school that has been unable to improve performance and must implement a school turnaround option; authorizing parents to submit a petition requesting implementation of an available school turnaround option; providing requirements for submission of a petition and its consideration and adoption by the district school board; requiring the State Board of Education to adopt rules for the petition process and specifying requirements therefor; amending s. 1008.33, F.S.; identifying the options for improving a school identified in the lowest-performing category as school turnaround options; authorizing parents to submit a petition to the school district to implement a school turnaround option; amending s. 1012.2315, F.S.; requiring that each district school board adopt rules to implement an assistance plan for out-of-field classroom teachers and requiring their participation in certain programs; requiring that the school district annually notify the parent of each student assigned to an out-of-field classroom teacher or a classroom teacher who has received unsatisfactory performance evaluations; requiring such notification to include information about the availability of virtual instruction; requiring that a school district, upon request, provide a parent with the performance evaluation of each classroom teacher assigned to his or her child; prohibiting the consecutive assignment of students to classroom teachers who receive certain performance evaluations; repealing s. 1012.42, F.S., relating to teachers teaching out-of-field; providing an effective date.

—was read the third time by title.

Representative Bullard offered the following:

(Amendment Bar Code: 408249)

Amendment 1—Remove line 319 and insert:
different school turnaround option. Parents of students who are assigned to a public school that implements the turnaround option in subparagraph (a)3. may petition the school district to reverse the turnaround option and reopen the school as a traditional public school.

Rep. Bullard moved the adoption of the amendment.

REPRESENTATIVE SCHENCK IN THE CHAIR

The question recurred on the adoption of **Amendment 1**, which failed to receive the required two-thirds vote for adoption.

The question recurred on the passage of **CS/CS/CS/HB 1191**. The vote was:

Session Vote Sequence: 1012

Representative Schenck in the Chair.

Yeas—80

Adkins	Dorworth	Legg	Precourt
Ahern	Drake	Logan	Proctor
Albritton	Eisnaugle	Lopez-Cantera	Ray
Artiles	Ford	Mayfield	Renuart
Aubuchon	Fresen	McBurney	Roberson, K.
Baxley	Frishe	McKeel	Rooney
Bileca	Gaetz	Metz	Schenck
Boyd	Glorioso	Moraitis	Smith
Brandes	Gonzalez	Nehr	Snyder
Brodeur	Grant	Nelson	Soto
Broxson	Hager	Núñez	Stargel
Burgin	Harrell	O'Toole	Steube
Caldwell	Harrison	Oliva	Tobia
Cannon	Holder	Passidomo	Trujillo
Coley	Hooper	Patronis	Van Zant
Corcoran	Horner	Perry	Weatherford
Costello	Hudson	Pilon	Williams, T.
Crisafulli	Hukill	Plakon	Wood
Davis	Ingram	Porter	Workman
Diaz	Kreegel	Porth	Young

Nays—34

Abruzzo	Fullwood	Pafford	Taylor
Bembry	Garcia	Perman	Thompson, G.
Berman	Gibbons	Rogers	Thurston
Bernard	Goodson	Rouson	Waldman
Bullard	Jenne	Sands	Watson
Chestnut	Jones	Saunders	Weinstein
Clarke-Reed	Julien	Schwartz	Williams, A.
Clemens	Kiar	Slosberg	
Cruz	Kriseman	Stafford	

Votes after roll call:

Nays—Campbell, Reed

So the bill passed and was immediately certified to the Senate.

CS/CS/CS/HB 1115—A bill to be entitled An act relating to teachers; amending s. 1001.03, F.S.; requiring that certain professional teacher associations be given equal access to initial orientations; providing that certain not-for-profit, professional teacher associations are not employee organizations for purposes of specified provisions until applying for registration as a certified bargaining agent; amending s. 1012.21, F.S.; requiring the Department of Education to provide information regarding limitations of liability, appropriate level of additional liability insurance, and options for procuring such insurance; amending s. 1012.39, F.S.; prohibiting a postsecondary educational institution or district school board from requiring a student enrolled in a teacher preparation program to purchase liability insurance; providing an effective date.

—was read the third time by title.

Representative Brandes offered the following:

(Amendment Bar Code: 478303)

Amendment 2 (with title amendment)—Remove line 49 and insert:
personnel, suggestions for pertinent criteria for determining the appropriate level of additional liability

TITLE AMENDMENT

Remove line 11 and insert:

regarding limitations on liability, suggestions for pertinent criteria for determining the appropriate level

Rep. Brandes moved the adoption of the amendment, which was adopted by the required two-thirds vote.

The question recurred on the passage of **CS/CS/CS/HB 1115**. The vote was:

Session Vote Sequence: 1013

Representative Schenck in the Chair.

Yeas—78

Adkins	Crisafulli	Hooper	O'Toole
Ahern	Davis	Horner	Oliva
Albritton	Dorworth	Hudson	Passidomo
Artiles	Drake	Hukill	Patronis
Aubuchon	Eisnaugle	Ingram	Perry
Baxley	Ford	Kreegel	Pilon
Bileca	Fresen	Legg	Plakon
Boyd	Frishe	Logan	Porter
Brandes	Gaetz	Lopez-Cantera	Precourt
Brodeur	Glorioso	Mayfield	Proctor
Broxson	Gonzalez	McBurney	Ray
Burgin	Goodson	McKeel	Renuart
Caldwell	Grant	Metz	Roberson, K.
Cannon	Hager	Moraitis	Rooney
Coley	Harrell	Nehr	Schenck
Corcoran	Harrison	Nelson	Smith
Costello	Holder	Núñez	Snyder

Stargel	Trujillo	Williams, T.	Young
Steube	Van Zant	Wood	
Tobia	Weatherford	Workman	

Nays—38

Abruzzo	Fullwood	Porth	Stafford
Bembry	Garcia	Reed	Taylor
Berman	Gibbons	Rehwinkel	Vasilinda
Bernard	Jenne	Rogers	Thompson, G.
Bullard	Jones	Rouson	Thurston
Chestnut	Julien	Sands	Waldman
Clarke-Reed	Kiar	Saunders	Watson
Clemens	Kriseman	Schwartz	Weinstein
Cruz	Pafford	Slosberg	Williams, A.
Diaz	Perman	Soto	

Votes after roll call:

Nays—Campbell

Yeas to Nays—McBurney

So the bill passed, as amended, and was immediately certified to the Senate after engrossment.

HB 689—A bill to be entitled An act relating to American Founders' Month; providing a short title; creating s. 683.147, F.S.; designating the month of September as "American Founders' Month"; authorizing the Governor to annually issue a proclamation designating the month and urging participation; amending s. 1003.44, F.S.; requiring district school boards to celebrate the American Founders and the principles inherent in the country's founding documents by observing American Founders' Month; specifying the focus of instruction during the month; providing that instruction may be integrated into the existing school curriculum; requiring distribution to school personnel of certain information; providing an effective date.

—was read the third time by title.

Representative Bullard offered the following:

(Amendment Bar Code: 160417)

Amendment 2—Remove line 70 and insert:
pursuant to s. 1003.421, and guidelines for its celebration shall be developed by the department in cooperation with the district school boards.

Rep. Bullard moved the adoption of the amendment, which failed to receive the required two-thirds vote for adoption.

Representative Thompson, G. offered the following:

(Amendment Bar Code: 301237)

Amendment 3—Between lines 91 and 92, insert:
6. The contributions of those of diverse ethnic backgrounds who contributed to the founding of the United States of America.

Rep. G. Thompson moved the adoption of the amendment, which failed to receive the required two-thirds vote for adoption.

REPRESENTATIVE MCKEEL IN THE CHAIR

The question recurred on the passage of **HB 689**. The vote was:

Session Vote Sequence: 1014

Representative McKeel in the Chair.

Yeas—91

Abruzzo	Ahern	Artiles	Baxley
Adkins	Albritton	Aubuchon	Bembry

Bernard	Gaetz	McBurney	Renuart
Bileca	Glorioso	McKeel	Roberson, K.
Boyd	Gonzalez	Metz	Rooney
Brandes	Goodson	Moraitis	Rouson
Brodeur	Grant	Nehr	Schenck
Broxson	Hager	Nelson	Smith
Burgin	Harrell	Nuñez	Snyder
Caldwell	Harrison	O'Toole	Stargel
Cannon	Holder	Oliva	Steube
Coley	Hooper	Passidomo	Tobia
Corcoran	Horner	Patronis	Trujillo
Costello	Hudson	Perry	Van Zant
Crisafulli	Hukill	Pilon	Waldman
Davis	Ingram	Plakon	Weatherford
Diaz	Julien	Porter	Weinstein
Dorworth	Kiar	Porth	Williams, A.
Drake	Kreegel	Precourt	Williams, T.
Eisnaugle	Legg	Proctor	Wood
Ford	Logan	Ray	Workman
Fresen	Lopez-Cantera	Reed	Young
Frishe	Mayfield	Rehwinkel	Vasilinda

Nays—24

Berman	Fullwood	Perman	Soto
Bullard	Gibbons	Rogers	Stafford
Campbell	Jenne	Sands	Taylor
Clarke-Reed	Jones	Saunders	Thompson, G.
Clemens	Kriseman	Schwartz	Thurston
Cruz	Pafford	Slosberg	Watson

Votes after roll call:

Nays—Chestnut

Nays to Yeas—Campbell

So the bill passed and was immediately certified to the Senate.

CS/HB 1373—A bill to be entitled An act relating to commemoration of the 40th anniversary of the end of the United States' involvement in the Vietnam War; creating s. 683.025, F.S.; designating March 30, 2013, as the date for the observance of the 40th anniversary of the end of the United States' involvement in the Vietnam War; specifying purpose of the observance; authorizing the Governor to issue a proclamation; authorizing the Florida Veterans' Foundation to collaborate with Florida's veterans' organizations and their local posts and chapters to administratively promote and support the efforts of counties, municipalities, and veterans' organizations that voluntarily hold special community events commemorating the 40th anniversary of the end of the United States' involvement in the Vietnam War; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1015

Representative McKeel in the Chair.

Yeas—116

Abruzzo	Cannon	Gaetz	Julien
Adkins	Chestnut	Garcia	Kiar
Ahern	Clarke-Reed	Gibbons	Kreegel
Albritton	Clemens	Glorioso	Kriseman
Artiles	Coley	Gonzalez	Legg
Aubuchon	Corcoran	Goodson	Logan
Baxley	Costello	Grant	Lopez-Cantera
Bembry	Crisafulli	Hager	Mayfield
Berman	Cruz	Harrell	McBurney
Bernard	Davis	Harrison	McKeel
Bileca	Diaz	Holder	Metz
Boyd	Dorworth	Hooper	Moraitis
Brandes	Drake	Horner	Nehr
Brodeur	Eisnaugle	Hudson	Nelson
Broxson	Ford	Hukill	Nuñez
Bullard	Fresen	Ingram	O'Toole
Caldwell	Frishe	Jenne	Oliva
Campbell	Fullwood	Jones	Pafford

Passidomo	Reed	Slosberg	Trujillo
Patronis	Rehwinkel Vasilinda	Smith	Van Zant
Perman	Renuart	Snyder	Waldman
Perry	Roberson, K.	Soto	Watson
Pilon	Rogers	Stafford	Weatherford
Plakon	Rooney	Stargel	Weinstein
Porter	Rouson	Steube	Williams, A.
Porth	Sands	Taylor	Williams, T.
Precourt	Saunders	Thompson, G.	Wood
Proctor	Schenck	Thurston	Workman
Ray	Schwartz	Tobia	Young

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 1209—A bill to be entitled An act relating to application of foreign law in certain cases; creating s. 45.022, F.S.; defining the term "foreign law, legal code, or system"; clarifying that the public policies expressed in the act apply to violations of a natural person's fundamental liberties, rights, and privileges guaranteed by the State Constitution or the United States Constitution; providing that the act does not apply to a corporation, partnership, or other form of business association, except when necessary to provide effective relief in proceedings under or relating to chapters 61 and 88, F.S.; specifying the public policy of this state in applying the choice of a foreign law, legal code, or system under certain circumstances in proceedings brought under or relating to chapters 61 and 88, F.S., which relate to dissolution of marriage, support, time-sharing, the Uniform Child Custody Jurisdiction and Enforcement Act, and the Uniform Interstate Family Support Act; declaring that certain decisions rendered under such laws, codes, or systems are void; declaring that certain choice of venue or forum provisions in a contract are void; providing for the construction of a waiver by a natural person of the person's fundamental liberties, rights, and privileges guaranteed by the State Constitution or the United States Constitution; declaring that claims of forum non conveniens or related claims must be denied under certain circumstances; providing that the act may not be construed to require or authorize any court to adjudicate, or prohibit any religious organization from adjudicating, ecclesiastical matters in violation of specified constitutional provisions or to conflict with any federal treaty or other international agreement to which the United States is a party to a specified extent; providing for severability; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1016

Representative McKeel in the Chair.

Yeas—92

Abruzzo	Davis	Hukill	Plakon
Adkins	Diaz	Ingram	Porter
Ahern	Dorworth	Julien	Porth
Albritton	Drake	Kiar	Precourt
Artiles	Eisnaugle	Kreegel	Proctor
Aubuchon	Ford	Legg	Ray
Baxley	Fresen	Logan	Rehwinkel Vasilinda
Bembry	Frishe	Lopez-Cantera	Renuart
Bernard	Fullwood	Mayfield	Roberson, K.
Bileca	Gaetz	McBurney	Rooney
Boyd	Garcia	McKeel	Schenck
Brandes	Glorioso	Metz	Smith
Brodeur	Gonzalez	Moraitis	Snyder
Broxson	Goodson	Nehr	Soto
Burgin	Grant	Nelson	Stargel
Caldwell	Hager	Nuñez	Steube
Campbell	Harrell	O'Toole	Taylor
Cannon	Harrison	Oliva	Tobia
Coley	Holder	Passidomo	Trujillo
Corcoran	Hooper	Patronis	Van Zant
Costello	Horner	Perry	Weatherford
Crisafulli	Hudson	Pilon	Weinstein

Williams, T.	Wood	Workman	Young
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Nays—24

Berman	Gibbons	Reed	Stafford
Bullard	Jenne	Rogers	Thompson, G.
Chestnut	Jones	Rouson	Thurston
Clarke-Reed	Kriseman	Saunders	Waldman
Clemens	Pafford	Schwartz	Watson
Cruz	Perman	Slosberg	Williams, A.

Votes after roll call:

Yeas—Sands

So the bill passed and was immediately certified to the Senate.

HB 4001—A bill to be entitled An act relating to the Florida Climate Protection Act; repealing s. 403.44, F.S., relating to a cap-and-trade regulatory program to reduce greenhouse gas emissions from electric utilities; amending s. 366.8255, F.S.; conforming a cross-reference; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1017

Representative McKeel in the Chair.

Yeas—82

Adkins	Dorworth	Julien	Precourt
Ahern	Drake	Kreegel	Proctor
Albritton	Eisnaugle	Legg	Ray
Artiles	Ford	Logan	Renuart
Aubuchon	Fresen	Lopez-Cantera	Roberson, K.
Baxley	Frishe	Mayfield	Rooney
Bembry	Gaetz	McBurney	Schenck
Bileca	Glorioso	McKeel	Smith
Boyd	Gonzalez	Metz	Snyder
Brandes	Goodson	Moraitis	Stargel
Brodeur	Grant	Nehr	Steube
Broxson	Hager	Nelson	Tobia
Burgin	Harrell	Nuñez	Trujillo
Caldwell	Harrison	O'Toole	Van Zant
Cannon	Holder	Oliva	Weatherford
Coley	Hooper	Passidomo	Weinstein
Corcoran	Horner	Patronis	Williams, T.
Costello	Hudson	Perry	Wood
Crisafulli	Hukill	Pilon	Young
Davis	Ingram	Plakon	
Diaz	Jenne	Porter	

Nays—34

Abruzzo	Fullwood	Reed	Stafford
Berman	Garcia	Rehwinkel Vasilinda	Taylor
Bernard	Gibbons	Rogers	Thompson, G.
Bullard	Jones	Rouson	Thurston
Campbell	Kiar	Sands	Waldman
Chestnut	Kriseman	Saunders	Watson
Clarke-Reed	Pafford	Schwartz	Williams, A.
Clemens	Perman	Slosberg	
Cruz	Porth	Soto	

So the bill passed and was immediately certified to the Senate.

CS/HB 813—A bill to be entitled An act relating to eligibility for temporary cash assistance and food assistance; amending s. 414.095, F.S.; prohibiting an individual convicted of a felony offense from receiving temporary cash assistance or food assistance under certain conditions; providing conditions under which a person with a felony conviction may resume receiving such assistance; providing for designation of an alternative payee under certain circumstances; amending ss. 409.2564, 409.902, 414.045, 414.0652, and 414.0655, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1018

Representative McKeel in the Chair.

Yeas—80

Abruzzo	Davis	Ingram	Proctor
Adkins	Diaz	Kreegel	Ray
Ahern	Dorworth	Legg	Renuart
Albritton	Drake	Logan	Roberson, K.
Artiles	Eisnaugle	Lopez-Cantera	Rooney
Aubuchon	Ford	Mayfield	Schenck
Baxley	Fresen	McBurney	Smith
Bembry	Frishe	McKeel	Snyder
Bileca	Gaetz	Metz	Stargel
Boyd	Glorioso	Nehr	Steube
Brandes	Gonzalez	Nuñez	Tobia
Brodeur	Goodson	O'Toole	Trujillo
Broxson	Grant	Oliva	Van Zant
Burgin	Hager	Passidomo	Waldman
Caldwell	Harrell	Patronis	Weatherford
Cannon	Harrison	Perry	Weinstein
Coley	Hooper	Pilon	Williams, T.
Corcoran	Horner	Plakon	Wood
Costello	Hudson	Porter	Workman
Crisafulli	Hukill	Precourt	Young

Nays—31

Berman	Garcia	Porth	Soto
Bernard	Jenne	Reed	Stafford
Bullard	Jones	Rehwinkel Vasilinda	Taylor
Campbell	Julien	Rogers	Thompson, G.
Chestnut	Kiar	Rouson	Thurston
Clarke-Reed	Kriseman	Saunders	Watson
Clemens	Pafford	Schwartz	Williams, A.
Cruz	Perman	Slosberg	

Votes after roll call:

Yeas—Holder

Nays—Fullwood, Gibbons, Sands

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 1401—A bill to be entitled An act relating to public assistance; amending s. 402.82, F.S.; restricting the use of an electronic benefit transfer card to prohibit accessing cash from outside the state; amending s. 414.095, F.S.; revising the method of payment of temporary cash assistance to include an electronic benefit transfer card; prohibiting a cash assistance recipient from using an electronic benefit transfer card for certain purposes or in certain locations, including accessing cash benefits through an electronic benefit transfer card from an automatic teller machine located in such locations; providing an effective date.

—was read the third time by title.

Representative Pafford offered the following:

(Amendment Bar Code: 807697)

Amendment 1 (with title amendment)—Remove lines 29-30 and insert: benefit transfer card to purchase alcohol or tobacco products or to use in.

TITLE AMENDMENT

Remove lines 3-5 and insert:

402.82, F.S.; restricting the use of an electronic benefit transfer card to prohibit the purchase of certain products or the use of such card in specified locations; amending s. 414.095, F.S.; revising

Rep. Pafford moved the adoption of the amendment, which failed to receive the required two-thirds vote for adoption.

The question recurred on the passage of **CS/CS/HB 1401**. The vote was:

Session Vote Sequence: 1019

Representative McKeel in the Chair.

Yeas—92

Abruzzo	Crisafulli	Julien	Proctor
Adkins	Davis	Kiar	Ray
Ahern	Diaz	Kreegel	Rehwinkel Vasilinda
Albritton	Dorworth	Legg	Renuart
Artiles	Drake	Logan	Roberson, K.
Aubuchon	Eisnaugle	Lopez-Cantera	Rooney
Baxley	Ford	Mayfield	Sands
Bembry	Fresen	McBurney	Schenck
Berman	Frishe	McKeel	Slosberg
Bernard	Gaetz	Metz	Smith
Bileca	Glorioso	Moraitis	Snyder
Boyd	Gonzalez	Nehr	Soto
Brandes	Goodson	Nelson	Stargel
Brodeur	Grant	Nuñez	Steube
Broxson	Hager	O'Toole	Tobia
Burgin	Harrell	Oliva	Trujillo
Caldwell	Harrison	Passidomo	Van Zant
Campbell	Holder	Patronis	Weatherford
Cannon	Hooper	Perry	Weinstein
Clemens	Horner	Pilon	Williams, T.
Coley	Hudson	Porter	Wood
Corcoran	Hukill	Porth	Workman
Costello	Ingram	Precourt	Young

Nays—23

Bullard	Gibbons	Rogers	Thompson, G.
Chestnut	Jenne	Rouson	Thurston
Clarke-Reed	Jones	Saunders	Waldman
Cruz	Kriseman	Schwartz	Watson
Fullwood	Pafford	Stafford	Williams, A.
Garcia	Perman	Taylor	

So the bill passed and was immediately certified to the Senate.

THE SPEAKER IN THE CHAIR

Remarks

The Speaker recognized Representative Soto, who gave brief farewell remarks.

CS/HB 277—A bill to be entitled An act relating to abortions; amending s. 390.011, F.S.; revising and providing definitions; amending s. 390.0111, F.S.; conforming terminology to changes made by the act; restricting the circumstances in which an abortion may be performed in the third trimester or after viability; providing certain physician and location requirements with regard to performing abortions; prohibiting instillation abortions; requiring a physician who offers to perform or who performs abortions to complete continuing education related to ethics; prohibiting an abortion from being performed in the third trimester in a location other than a hospital; prohibiting any abortion from being performed in a location other than a hospital, abortion clinic, or physician's office; requiring that certain requirements be completed 24 hours before an abortion is performed in order for consent to an abortion to be considered voluntary and informed; conforming terminology; providing that substantial compliance or reasonable belief that noncompliance with the requirements regarding consent is necessary to prevent the death of the pregnant woman or a substantial and irreversible impairment of a major bodily function of the pregnant woman is a defense to a disciplinary action under s. 458.331 or s. 459.015, F.S.; deleting a definition of the term "viability" to conform to changes made by the act; providing that the prevention of the death or a substantial and irreversible impairment of a major bodily function of the pregnant woman constitutes an overriding and superior consideration to the concern for the life and health of

the fetus under certain circumstances; prohibiting a physician from knowingly performing a partial-birth abortion and thereby killing a human fetus; providing exceptions for when a partial-birth abortion is necessary; increasing the penalty imposed for failing to properly dispose of fetal remains; requiring the Department of Health to permanently revoke the license of any health care practitioner who is convicted or found guilty of, or enters a plea of guilty or nolo contendere to, regardless of adjudication, certain felony criminal acts; providing that an infant born alive subsequent to an attempted abortion is entitled to the same rights, powers, and privileges as are granted by the laws of this state; requiring a health care practitioner to exercise the same degree of professional skill, care, and diligence to preserve the life and health of an infant as a reasonably diligent and conscientious health care practitioner would render to any infant born alive if the infant is born alive subsequent to an attempted abortion; requiring that another physician be present in order to take control of any infant born alive; requiring the physician who performs the abortion to take all reasonable steps consistent with the abortion procedure to preserve the life and health of the unborn child; requiring a health care practitioner who has knowledge of any violations to report the violations to the department; providing that it is a first-degree misdemeanor to unlawfully advertise how to obtain an abortion; requiring an abortion clinic to place a conspicuous notice on its premises and on any form or medium of advertisement of the abortion clinic which states that the abortion clinic is prohibited from performing abortions in the third trimester or after viability; providing a penalty; requiring the Agency for Health Care Administration to submit to the Governor and Legislature an annual report of aggregate statistical data relating to abortions and provide such data on its website; amending s. 390.0114, F.S.; conforming terminology to changes made by the act; deleting the definition of the term "medical emergency"; amending s. 390.0112, F.S.; requiring the director of a hospital, abortion clinic, or physician's office to submit a monthly report to the agency on a form developed by the agency which is consistent with the U.S. Standard Report of Induced Termination of Pregnancy from the Centers for Disease Control and Prevention; requiring that the submitted report not contain any personal identifying information; requiring the agency to submit reported data to the Division of Reproductive Health within the Centers for Disease Control and Prevention; requiring the physician performing the abortion procedure to report such data if the abortion was performed in a hospital, abortion clinic, or physician's office; requiring the agency to adopt rules; amending s. 390.012, F.S.; conforming a cross-reference; requiring the agency to adopt rules that prescribe standards for placing conspicuous notice to be provided on the premises and on any advertisement of an abortion clinic which states that the abortion clinic is prohibited from performing abortions in the third trimester or after viability; conforming terminology to changes made by the act; amending s. 390.014, F.S.; prohibiting a person from establishing, conducting, managing, or operating a clinic in this state without a valid and current license issued by the agency; requiring an abortion clinic to be owned and operated by a physician who has received training during residency in performing a dilation-and-curettage procedure or a dilation-and-evacuation procedure or by a corporation or limited liability company composed of one or more such physicians; providing an exception; providing a penalty; amending s. 390.018, F.S.; revising the amount of the fine that the agency may impose for a violation of ch. 390, F.S., relating to abortion, or part II of ch. 408, F.S., relating to licensure; amending s. 456.013, F.S.; requiring that each applicable board require a physician who offers to perform or performs abortions to annually complete a course relating to ethics as part of the licensure and renewal process; providing that the course counts toward the total number of continuing education hours required for the profession; requiring the applicable board to approve the course; amending s. 765.113, F.S.; conforming a cross-reference; repealing ss. 782.30, 782.32, 782.34, and 782.36, F.S., relating to the Partial-Birth Abortion Act; repealing s. 797.02, F.S., relating to the advertising of drugs for abortions; repealing s. 797.03, F.S., relating to prohibited acts related to abortions and their penalties; providing for severability; providing an effective date.

—was read the third time by title.

Representative Schwartz offered the following:

(Amendment Bar Code: 158743)

Amendment 1 (with title amendment)

TITLE AMENDMENT

Remove line 2 and insert:

An act relating to ruining women's reproductive health; amending s. 390.011,

Rep. Schwartz moved the adoption of the amendment, which failed to receive the required two-thirds vote for adoption.

Representative Schwartz offered the following:

(Amendment Bar Code: 567239)

Amendment 2 (with title amendment)—Remove lines 206-209 and insert:

~~termination of pregnancy~~ is necessary to save the life or preserve the health of the pregnant woman; or

Remove lines 353-358 and insert:

~~noncompliance~~ ~~complying~~ with the requirements of informed consent would threaten the life or health of the patient is a defense to any action brought under this paragraph.

Remove lines 370-373 and insert:

provisions of this subsection, the woman's life and health shall constitute an overriding and

TITLE AMENDMENT

Remove lines 20-33 and insert:

conforming terminology;

Rep. Schwartz moved the adoption of the amendment, which failed to receive the required two-thirds vote for adoption.

Representative Schwartz offered the following:

(Amendment Bar Code: 966657)

Amendment 3 (with title amendment)—Remove line 494 and insert:

(c) A person may not knowingly advertise, print, publish, distribute, or circulate, or knowingly cause to be advertised, printed, published, distributed, or circulated, any pamphlet, printed paper, book, newspaper notice, advertisement, billboard, or reference containing words or language giving or conveying any notice, hint, or reference to any person, or the name of any person, real or fictitious, from whom, or to any place, house, shop, or office where any advice, direction, information, or knowledge may be obtained for the purpose of not undergoing an abortion.

(d) Any person who violates this subsection commits a

TITLE AMENDMENT

Remove line 67 and insert:

after viability; providing that it is a first-degree misdemeanor to advertise how not to undergo an abortion; providing a penalty; requiring the

Rep. Schwartz moved the adoption of the amendment, which failed to receive the required two-thirds vote for adoption.

Representative Schwartz offered the following:

(Amendment Bar Code: 265177)

Amendment 4 (with title amendment)—Between lines 900 and 901, insert:

Section 17. A vasectomy or treatment for erectile dysfunction may not be performed except with the voluntary and informed consent of the patient, or in the case of a mental incompetent, the voluntary and informed written consent of his court-appointed guardian. Except in the case of a medical emergency, consent to a vasectomy or treatment for erectile dysfunction is voluntary and informed only if the physician orally, in person, informs the patient of the nature and risks of undergoing or not undergoing the proposed procedure or treatment which a reasonable patient would consider material to making a knowing and willful decision at least 24 hours before the vasectomy is performed or the treatment is provided.

TITLE AMENDMENT

Remove line 2 and insert:

An act relating to reproductive health; amending s. 390.011,

Remove line 124 and insert:

penalties; providing for severability; requiring that certain requirements be completed 24 hours before a vasectomy or treatment for erectile dysfunction is performed in order for the consent to be considered voluntary and informed; providing an

Rep. Schwartz moved the adoption of the amendment. Subsequently, **Amendment 4** was withdrawn.

Representative Berman offered the following:

(Amendment Bar Code: 650669)

Amendment 5 (with title amendment)—Between lines 900 and 901, insert:

Section 17. Each crisis pregnancy center or pregnancy resource center operating in this state must:

(1) Have a physician as defined in s. 390.011, Florida Statutes, on its staff and available for consultation during its hours of operation.

(2) Not contact a client within 24 hours after a client's receipt of counseling or other services from the center.

TITLE AMENDMENT

Remove line 124 and insert:

penalties; providing requirements for crisis pregnancy centers and pregnancy resource centers; providing for severability; providing an

Rep. Berman moved the adoption of the amendment, which failed to receive the required two-thirds vote for adoption.

REPRESENTATIVE SNYDER IN THE CHAIR

REPRESENTATIVE PRECOURT IN THE CHAIR

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 1020].

The question recurred on the passage of **CS/HB 277**. The vote was:

Session Vote Sequence: 1021

Representative Precourt in the Chair.

Yeas—78

Adkins	Brodeur	Costello	Frishe
Ahern	Broxson	Crisafulli	Gaetz
Albritton	Burgin	Davis	Glorioso
Aubuchon	Caldwell	Diaz	Gonzalez
Baxley	Campbell	Drake	Goodson
Bembry	Cannon	Eisnaugle	Grant
Bileca	Coley	Ford	Harrell
Boyd	Corcoran	Fresen	Harrison

Holder	McBurney	Porter
Hooper	McKeel	Precourt
Horner	Metz	Proctor
Hudson	Moraitis	Ray
Hukill	Nehr	Renuart
Ingram	Nelson	Roberson, K.
Julien	Nuñez	Rooney
Kreegel	O'Toole	Rouson
Legg	Oliva	Schenck
Logan	Patronis	Smith
Lopez-Cantera	Perry	Snyder
Mayfield	Plakon	Stargel

Nays—33

Abruzzo	Gibbons	Reed	Taylor
Berman	Jones	Rehwinkel Vasilinda	Thompson, G.
Bernard	Kiar	Rogers	Thurston
Bullard	Kriseman	Sands	Waldman
Chestnut	Pafford	Saunders	Watson
Clarke-Reed	Passidomo	Schwartz	Williams, A.
Clemens	Perman	Slosberg	
Cruz	Pilon	Soto	
Garcia	Porth	Stafford	

Votes after roll call:

Yeas—Brandes, Dorworth

Nays—Fullwood, Jenne

Yeas to Nays—Rouson

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 1045—A bill to be entitled An act relating to mental health; amending s. 916.107, F.S.; authorizing, in certain circumstances, continuation of psychotherapeutic medication for individuals receiving such medication in a jail before admission to a psychiatric or forensic facility; amending s. 916.111, F.S.; requiring forensic evaluator training for mental health experts appointed to evaluate defendants for competency to proceed or for sanity at the time of the commission of the offense; amending s. 916.115, F.S.; requiring the Department of Children and Family Services to maintain and annually provide the courts with a forensic evaluator registry; amending s. 916.13, F.S.; providing timeframes for competency hearings to be held; amending s. 916.145, F.S.; making grammatical changes; amending s. 916.15, F.S.; providing timeframes for commitment hearings to be held; amending s. 985.19, F.S.; standardizing the protocols, procedures, and criteria used in reporting expert findings in determining competency in juvenile cases; revising requirements related to the forensic evaluator training program that appointed experts must complete; requiring experts after a specified date to have completed such training; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1022

Representative Precourt in the Chair.

Yeas—111

Abruzzo	Cannon	Gaetz	Kiar
Adkins	Chestnut	Garcia	Kreegel
Ahern	Clarke-Reed	Gibbons	Kriseman
Albritton	Clemens	Glorioso	Legg
Aubuchon	Coley	Gonzalez	Logan
Baxley	Corcoran	Goodson	Lopez-Cantera
Bembry	Crisafulli	Grant	Mayfield
Berman	Cruz	Hager	McBurney
Bernard	Davis	Harrell	McKeel
Bileca	Diaz	Holder	Metz
Boyd	Dorworth	Hooper	Moraitis
Brandes	Drake	Horner	Nehr
Brodeur	Eisnaugle	Hudson	Nelson
Bullard	Ford	Hukill	Nuñez
Burgin	Fresen	Ingram	O'Toole
Caldwell	Frishe	Jones	Oliva
Campbell	Fullwood	Julien	Pafford

Passidomo	Rehwinkel Vasilinda	Smith	Van Zant
Patronis	Renuart	Snyder	Waldman
Perman	Roberson, K.	Soto	Watson
Perry	Rogers	Stafford	Weatherford
Pilon	Rooney	Stargel	Weinstein
Plakon	Rouson	Steube	Williams, A.
Porter	Sands	Taylor	Williams, T.
Porth	Saunders	Thompson, G.	Wood
Precourt	Schenck	Thurston	Workman
Ray	Schwartz	Tobia	Young
Reed	Slosberg	Trujillo	

Nays—None

Votes after roll call:

Yeas—Artiles, Costello, Jenne, Proctor

So the bill passed and was immediately certified to the Senate.

Consideration of **CS/HB 7055** was temporarily postponed.

CS/CS/CS/HB 177—A bill to be entitled An act relating to inmate reentry; defining the terms "department" and "nonviolent offender"; directing the Department of Corrections to develop and administer a reentry program for nonviolent offenders which is intended to divert nonviolent offenders from long periods of incarceration; requiring that the program include intensive substance abuse treatment and rehabilitative programming; providing for the minimum length of service in the program; providing that any portion of a sentence before placement in the program does not count as progress toward program completion; specifying eligibility criteria for a nonviolent offender to be placed into the reentry program; directing the court to screen and select eligible offenders for the program based on specified considerations; directing the department to notify the nonviolent offender's sentencing court to obtain approval before the nonviolent offender is placed into the reentry program; requiring the department to notify the state attorney; authorizing the state attorney to file objections to placing the offender into the reentry program within a specified period; requiring the sentencing court to notify the department of the court's decision to approve or disapprove the requested placement within a specified period; providing that failure of the court to timely notify the department of the court's decision constitutes disapproval of the requested placement; requiring the nonviolent offender to undergo an education assessment and a full substance abuse assessment if admitted into the reentry program; requiring the offender to be enrolled in an adult education program in specified circumstances; requiring that assessments of vocational skills and future career education be provided to the offender; requiring that certain reevaluation be made periodically; providing that the nonviolent offender is subject to the disciplinary rules of the department; specifying the reasons for which the offender may be terminated from the reentry program; requiring that the department submit a report to the sentencing court at least 30 days before the nonviolent offender is scheduled to complete the reentry program; setting forth the issues to be addressed in the report; providing a court may schedule a hearing to consider any modifications to an imposed sentence; requiring the sentencing court to issue an order modifying the sentence imposed and placing the nonviolent offender on drug offender probation if the nonviolent offender's performance is satisfactory; authorizing the court to revoke probation and impose the original sentence in specified circumstances; authorizing the court to require the offender to complete a postadjudicatory drug court program in specified circumstances; directing the department to implement the reentry program using available resources; requiring the department to submit an annual report to the Governor and Legislature detailing the extent of implementation of the reentry program, specifying information to be provided and outlining future goals and recommendations; authorizing the department to enter into contracts with qualified individuals, agencies, or corporations for services for the reentry program; authorizing the department to impose administrative or protective confinement as necessary; authorizing the department to establish a system of incentives within the reentry program which the department may use to promote participation in rehabilitative programs and the orderly operation of institutions and facilities; providing that the section does not create a right to

placement in the reentry program or any right to placement or early release under supervision of any type; providing that the section does not create a cause of action related to the program; providing that specified provisions are not severable; directing the department to develop a system for tracking recidivism, including, but not limited to, rearrests and recommitment of nonviolent offenders who successfully complete the reentry program, and to report on recidivism in its annual report of the program; directing the department to adopt rules; providing an effective date.

—was read the third time by title.

Representative Porth offered the following:

(Amendment Bar Code: 309873)

Amendment 1 (with title amendment)—Remove lines 213-215 and insert:

in approving the placement.

TITLE AMENDMENT

Remove lines 27-29 and insert:
period;

Rep. Porth moved the adoption of the amendment, which was adopted by the required two-thirds vote.

Representative Porth offered the following:

(Amendment Bar Code: 858199)

Amendment 2—Remove line 269 and insert:
electronic monitoring or placement in a community residential or nonresidential licensed

Rep. Porth moved the adoption of the amendment, which was adopted by the required two-thirds vote.

The question recurred on the passage of **CS/CS/CS/HB 177**. The vote was:

Session Vote Sequence: 1023

Representative Precourt in the Chair.

Yeas—112

Abruzzo	Davis	Kriseman	Rehwinkel Vasilinda
Ahern	Diaz	Legg	Renuart
Albritton	Dorworth	Logan	Roberson, K.
Artiles	Drake	Lopez-Cantera	Rogers
Aubuchon	Ford	Mayfield	Rooney
Baxley	Fresen	McBurney	Rouson
Bembry	Frishe	McKeel	Sands
Berman	Fullwood	Metz	Saunders
Bernard	Garcia	Moraitis	Schenck
Bileca	Gibbons	Nehr	Schwartz
Boyd	Glorioso	Nelson	Slosberg
Brandes	Gonzalez	Nuñez	Smith
Brodeur	Goodson	O'Toole	Snyder
Broxson	Grant	Oliva	Soto
Bullard	Hager	Pafford	Stafford
Burgin	Harrell	Passidomo	Stargel
Caldwell	Harrison	Patronis	Steube
Campbell	Holder	Perman	Taylor
Cannon	Hooper	Perry	Thompson, G.
Chestnut	Hudson	Pilon	Thurston
Clarke-Reed	Hukill	Plakon	Tobia
Clemens	Ingram	Porter	Trujillo
Coley	Jenne	Porth	Waldman
Corcoran	Jones	Precourt	Watson
Costello	Julien	Proctor	Weatherford
Crisafulli	Kiar	Ray	Weinstein
Cruz	Kreegel	Reed	Williams, A.

Williams, T. Wood Workman Young
 Nays—4
 Adkins Eisnagle Gaetz Van Zant

So the bill passed, as amended, and was immediately certified to the Senate after engrossment.

Special Orders

CS/CS/CS/HB 1205—A bill to be entitled An act relating to the Drug-Free Workplace Act; amending s. 112.0455, F.S.; revising the definition of the term "job applicant"; defining the term "random testing"; removing the definition of the term "safety-sensitive position"; requiring drug testing to be conducted within each state agency's appropriation; authorizing a state agency to conduct random drug testing every 3 months; providing testing selection requirements; removing provisions prohibiting a state agency from discharging or disciplining an employee under certain circumstances based on the employee's first positive confirmed drug test; removing provisions limiting the circumstances under which an agency may discharge an employee in a special risk or safety-sensitive position; providing that an agency may discharge or discipline an employee following a first-time positive confirmed drug test result; authorizing an agency to refer an employee to an employee assistance program or an alcohol and drug rehabilitation program if the employee is not discharged; requiring participation in an employee assistance program or an alcohol and drug rehabilitation program at the employee's own expense; requiring the employer to determine if the employee is able to safely and effectively perform the job duties assigned to the employee while the employee is participating in the employee assistance program or alcohol and drug rehabilitation program; deeming that certain specified job activities cannot be performed safely and effectively while the employee is participating in the employee assistance program or alcohol and drug rehabilitation program; requiring the employer to transfer the employee to a job assignment that he or she can perform safely and effectively while the employee participates in the employee assistance program or alcohol and drug rehabilitation program; requiring the employer to place the employee on leave status while the employee is participating in an employee assistance program or an alcohol and drug rehabilitation program if such a position is unavailable; authorizing the employee to use accumulated leave credits before being placed on leave without pay; amending s. 440.102, F.S.; revising the definition of the term "job applicant" as it pertains to a public employer; removing the definition of the term "safety-sensitive position" and replacing it with the definition for the term "mandatory-testing position;" providing that an employer remains qualified for an insurer rate plan that discounts rates for workers' compensation and employer's liability insurance policies if the employer maintains a drug-free workplace program that is broader in scope than that provided for by the standards and procedures established in the act; authorizing a public employer, using an unbiased selection procedure, to conduct random drug tests of employees occupying mandatory-testing or special-risk positions if the testing is performed in accordance with drug-testing rules adopted by the Agency for Health Care Administration; requiring that a public sector employer assign a public sector employee to a position other than a mandatory-testing position if the employee enters an employee assistance program or drug rehabilitation program; amending s. 944.474, F.S.; revising provisions governing employees of the state correctional system, to conform to changes made by the act; providing an effective date.

—was read the second time by title.

THE SPEAKER IN THE CHAIR

Representative Smith offered the following:

(Amendment Bar Code: 669955)

Amendment 1—Remove lines 2-65 and insert:

An act relating to drug-free workplaces; amending s. 112.0455, F.S.; revising the definition of the term "job applicant," defining the term "random testing," and removing the definition of the term "safety-sensitive position" for purposes of the Drug-Free Workplace Act; requiring drug testing to be conducted within each state agency's appropriation; authorizing a state agency to conduct random drug testing every 3 months; providing testing selection requirements; removing provisions prohibiting a state agency from discharging or disciplining an employee under certain circumstances based on the employee's first positive confirmed drug test; removing provisions limiting the circumstances under which an agency may discharge an employee in a special risk or safety-sensitive position; providing that an agency may discharge or discipline an employee following a first-time positive confirmed drug test result; authorizing an agency to refer an employee to an employee assistance program or an alcohol and drug rehabilitation program if the employee is not discharged; requiring participation in an employee assistance program or an alcohol and drug rehabilitation program at the employee's own expense or at the expense of a health insurance plan; requiring the employer to determine if the employee is able to safely and effectively perform the job duties assigned to the employee while the employee is participating in the employee assistance program or alcohol and drug rehabilitation program; deeming that certain specified job activities cannot be performed safely and effectively while the employee is participating in the employee assistance program or alcohol and drug rehabilitation program; requiring the employer to transfer the employee to a job assignment that he or she can perform safely and effectively while the employee participates in the employee assistance program or alcohol and drug rehabilitation program; requiring the employer to place the employee on leave status while the employee is participating in an employee assistance program or an alcohol and drug rehabilitation program if such a position is unavailable; authorizing the employee to use accumulated leave credits before being placed on leave without pay; amending s. 440.102, F.S.; revising the definition of the term "job applicant" as it pertains to a public employer; removing the definition of the term "safety-sensitive position" and replacing it with the definition for the term "mandatory-testing position;" providing that an employer remains qualified for an insurer rate plan that discounts rates for workers' compensation and employer's liability insurance policies if the employer maintains a drug-free workplace program that is broader in scope than that provided for by the standards and procedures established in the act; authorizing a public employer, using an unbiased selection procedure, to conduct random drug tests of employees occupying mandatory-testing or special-risk positions if the testing is performed in accordance with drug-testing rules adopted by the Agency for Health Care Administration; requiring that a public sector employer assign a public sector employee to a position other than a mandatory-testing position if the employee enters an employee assistance program or drug and alcohol rehabilitation program; amending s. 944.474, F.S.; revising

Rep. Smith moved the adoption of the amendment, which was adopted.

Representative Williams, A. offered the following:

(Amendment Bar Code: 297207)

Amendment 2 (with directory and title amendments)—Between lines 542 and 543, insert:

(16) LEGISLATURE.—The Legislature shall implement a drug-free workplace program under this section. Members of the Legislature shall be subject to testing under the program.

DIRECTORY AMENDMENT

Remove line 443 and insert:

(11) of section 440.102, Florida Statutes, are amended, and subsection (16) is added to that section, to read:

TITLE AMENDMENT

Remove line 65 and insert:

program; requiring the Legislature to implement a drug-free workplace program; providing that members of the Legislature shall be subject to the program; amending s. 944.474, F.S.; revising

Rep. A. Williams moved the adoption of the amendment. Subsequently, **Amendment 2** was withdrawn.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/CS/HB 903—A bill to be entitled An act relating to charter schools; amending s. 1002.33, F.S.; authorizing a charter school operated by a Florida College System institution to serve students in kindergarten through grade 12 if certain criteria are met; clarifying that the Charter School Appeal Commission shall not be convened when denial of an application submitted by a high-performing charter school is appealed; requiring charter schools to maintain an Internet website that enables the public to obtain information regarding the school, its personnel, and its programs; requiring that information regarding any entity that owns, operates, or manages the school be posted on the website; revising provisions requiring compliance with statutes relating to instructional personnel compensation and contracts, workforce reductions, and instructional personnel and school administrator performance evaluations; providing guidelines for construing statutes for which compliance is required; providing requirements for the reimbursement of federal funds to a charter school by its sponsor; requiring charter school expenditures to comply with rules and regulations to be eligible for reimbursement; requiring approval of the use of funds; establishing criteria for charter schools serving students with disabilities; authorizing certain charter schools serving students with disabilities to increase enrollment, expand grade levels served, submit a quarterly financial statement, consolidate the charters of certain charter schools, and receive certain modification or renewal of its charter; providing for calculation of an administrative fee; amending s. 1002.331, F.S., relating to high-performing charter schools; requiring the Commissioner of Education to annually review a high-performing charter school's eligibility for high-performing status; requiring declassification of high-performing charter schools that fail to maintain eligibility; amending s. 1002.332, F.S., relating to high-performing charter school systems; requiring the commissioner to annually review a high-performing charter school system's eligibility for high-performing status; requiring declassification of high-performing charter school systems that fail to maintain eligibility; amending s. 1002.34, F.S.; conforming a cross-reference; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/CS/HB 859—A bill to be entitled An act relating to the Florida Tax Credit Scholarship Program; amending s. 1002.395, F.S.; revising student eligibility requirements for participation in the program; increasing the tax credit cap amount applicable to the program; revising provisions relating to the reporting of test scores by private schools participating in the program; providing that a private school may choose to offer and administer statewide assessments at the school; revising Department of Education duties relating to site visits; requiring the department to provide at no cost statewide assessments and related materials to a school that makes such a request; providing conditions under which statewide assessments may be administered at a private school; requiring a private school to follow statutory requirements, State Board of Education rules, and district testing policies; requiring a school district to coordinate with the department to provide statewide assessments and related materials to a private school upon the department's request; providing school district responsibilities; revising the conditions upon which the Commissioner of Education may base the denial, suspension, or revocation of a private school's participation in the program or the suspension of scholarship fund payment; amending s. 1002.20, F.S.; conforming provisions; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 7129—A bill to be entitled An act relating to state universities of academic and research excellence and national preeminence; creating s. 1001.765, F.S.; providing a short title; establishing a collaborative partnership between the Board of Governors of the State University System and the Legislature to elevate the academic and research excellence and national preeminence of the highest-performing state research universities; authorizing a state research university that meets specified criteria, verified by the Board of Governors, to establish student tuition and fees at differentiated and market rates; providing certain conditions for implementing tuition and fee increases; establishing academic and research excellence standards for state universities of national preeminence; specifying requirements relating to debt service obligations; establishing procedures to obtain certain budget authorization for the 2012-2013 fiscal year; establishing procedures for institutional legislative budget requests for certain tuition and fee increases; authorizing state universities of national preeminence to establish required courses for certain students; encouraging the Board of Governors to identify, grant, and recommend flexibilities to achieve goals and improve the national rankings of programs of excellence; requiring the Board of Governors to oversee implementation; providing an effective date.

—was read the second time by title.

THE SPEAKER PRO TEMPORE IN THE CHAIR

Representative Proctor offered the following:

(Amendment Bar Code: 113839)

Amendment 1—Remove line 154 and insert:
1007.271, or other transfer credit. All accelerated credits earned up to the limits specified in ss. 1007.27 and 1007.271 shall be applied toward graduation at the student's request.

Rep. Proctor moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/CS/HB 1403—A bill to be entitled An act relating to high school athletics; amending s. 1002.20, F.S.; conforming provisions; amending s. 1006.20, F.S.; authorizing high schools, including charter schools, virtual schools, and home education cooperatives, to become members of the FHSAA; requiring the FHSAA to adopt bylaws to allow a student who transfers schools to be eligible to participate in athletics if certain conditions are met; authorizing certain penalties for a recruiting violation; requiring the FHSAA to adopt bylaws to regulate investigators and sanction coaches who commit major violations; specifying sanctions and procedures; requiring the FHSAA to adopt bylaws establishing the process and standards by which determinations of eligibility are made; authorizing the FHSAA to adopt bylaws providing certain procedural safeguards; prohibiting FHSAA bylaws from prospectively limiting the competition of certain student athletes and from unfairly punishing student athletes for violations perpetrated by a teammate, coach, or administrator; providing requirements for the forfeiture of contests under certain conditions; requiring an expedited appeals process on determinations of ineligibility; authorizing a school or student athlete filing an appeal to present information and evidence; providing requirements for de novo decisions on appeal; deleting provisions relating to rule adoption; amending s. 1012.468, F.S.; providing background screening exceptions for certain investigators for the FHSAA; providing an effective date.

—was read the second time by title.

Representative Stargel offered the following:

(Amendment Bar Code: 882479)

Amendment 1 (with title amendment)—Remove line 70 and insert:
membership in the FHSAA is not mandatory for any school. The FHSAA may not deny or discourage interscholastic competition between its member

schools and non-FHSAA member Florida schools, including members of another athletic governing organization, and may not take any retributory or discriminatory action against any of its member schools that participate in interscholastic competition with non-FHSAA member Florida schools. The FHSAA may not unreasonably withhold its approval of an application to become an affiliate member of the National Federation of State High School Associations submitted by any other organization that governs interscholastic athletic competition in this state. The

TITLE AMENDMENT

Between lines 6 and 7, insert:

prohibiting the FHSAA from taking retributory or discriminatory action against any of its member schools under certain circumstances; prohibiting the FHSAA from withholding approval of any other athletic organization that governs athletic competition in the state;

Rep. Stargel moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the was referred to the Engrossing Clerk.

CS/CS/HB 119—A bill to be entitled An act relating to motor vehicle insurance; amending s. 316.066, F.S.; revising provisions relating to the contents of written reports of motor vehicle crashes; amending s. 627.736, F.S.; providing limitations on attorney fees for certain actions under the Florida Motor Vehicle No-Fault Law; specifying that the limitations on attorney fee awards does not limit the attorney fees an insured may pay her or his attorney; creating s. 627.748, F.S.; designating specified provisions as the Florida Motor Vehicle No-Fault Medical Care Coverage Law; providing legislative findings; creating s. 627.7481, F.S.; providing purposes; creating s. 627.74811, F.S.; providing legislative intent that provisions, schedules, or procedures are to be given full force and effect regardless of their express inclusion in insurer forms; creating s. 627.7482, F.S.; providing definitions; creating s. 627.7483, F.S.; requiring every owner or registrant of a motor vehicle required to be registered and licensed in this state to maintain specified security; providing exceptions; requiring every nonresident owner or registrant of a motor vehicle that has been physically present within this state for a specified period to maintain security; specifying means by which such security is provided; providing an exemption; creating s. 627.7484, F.S.; providing requirements for filing and maintaining proof of security; providing penalties; creating s. 627.7485, F.S.; requiring that insurance policies provide medical care coverage to specified persons; providing limits of coverage; specifying limits for medical, disability, and death benefits; providing restrictions on insurers with respect to provision of required benefits; authorizing insurers writing motor vehicle liability insurance to offer additional first-party motor vehicle coverages; prohibiting requiring purchase of other motor vehicle coverage as a condition for providing such benefits; prohibiting insurers from requiring the purchase of property damage liability insurance exceeding a specified amount in conjunction with medical care coverage insurance; providing that failure to comply with specified availability requirements constitutes an unfair method of competition or an unfair or deceptive act or practice; providing penalties; specifying benefits an insurer may exclude; providing procedure with respect to such exclusions; specifying when benefits are due from an insurer; prohibiting insurers from obtaining liens on recovery of special damages in tort claims for medical care coverage benefits; providing that benefits under the Florida Motor Vehicle No-Fault Medical Care Coverage Law are subject to the Medicaid program in specified circumstances; specifying when benefits are overdue; requiring insurers to hold a specified amount of benefits in reserve for a certain time for the payment of providers; providing for interest on overdue payments; providing for tolling the time period in which medical care coverage benefits are required to be paid when the insurer has reasonable belief that fraud has been committed; specifying injuries for which an insurer must pay medical care coverage benefits; disallowing benefits to an insured who has committed insurance fraud; providing that a person or entity lawfully rendering treatment to an injured person for a bodily injury covered by medical care coverage may

charge only a reasonable amount for services and care; providing that the insurer may pay such charges directly to the person or entity lawfully rendering such treatment; providing limits on such charges; providing for determination of reasonableness of charges; providing that payments made by an insurer pursuant to the schedule of maximum charges, or for lesser amounts billed by providers, are considered reasonable; establishing a schedule of maximum charges; specifying that reimbursement under a schedule of maximum charges that is based on Medicare is to be calculated under the applicable Medicare schedule in effect on a specified date each year; authorizing insurers to use all Medicare coding policies and CMS payment methodologies in determining reimbursement under a schedule of maximum charges that is Medicare-based; establishing limits on specified services and care; providing conditions under which an insurer or insured is not required to pay a claim or charges; requiring the Department of Health to adopt, by rule, a list of diagnostic tests deemed not to be medically necessary and to periodically revise the list; providing procedures and requirements with respect to statements of and bills for charges for emergency services and care; directing the Financial Services Commission to adopt by rule a disclosure and acknowledgment form to be countersigned by claimants upon receipt of medical services; providing procedures and requirements with respect to investigation of claims of improper billing by a physician or other medical provider; prohibiting insurers from systematically downcoding with intent to deny reimbursement; requiring insureds to comply with all terms of the medical care coverage policy, including submission to examinations under oath; limiting the scope of questioning during such examinations under oath; providing that compliance with policy terms is a condition precedent to the receipt of medical care coverage benefits; providing that it is an unfair method of competition or an unfair or deceptive trade practice for an insurer, as a general business practice, to request examinations under oath without a reasonable basis; providing for insurers to inspect the physical premises of providers seeking payment of medical care coverage benefits; providing that when an insured fails to appear for two or more mental or physical examinations, the medical care coverage carrier is not liable for subsequent medical care coverage benefits; creating a rebuttable presumption that an insured's failure to appear for two examinations is an unreasonable refusal to appear; creating an attorney fee cap; prohibiting the use of contingency risk multipliers in calculating attorney fee awards; requiring that an insurer must be provided with written notice of an intent to initiate litigation as a condition precedent to filing any action for benefits; providing requirements with respect to a demand letter; providing procedures and requirements with respect to payment of an overdue claim; providing for the tolling of the time period for an action against an insurer; providing that failure to pay valid claims with specified frequency constitutes an unfair or deceptive trade practice; providing penalties; providing circumstances under which an insurer has a cause of action; providing for fraud advisory notice; requiring that all claims related to the same health care provider for the same injured person be brought in one action unless good cause is shown; authorizing the electronic transmission of notices and communications under certain conditions; creating s. 627.7486, F.S.; providing an exemption from tort liability for certain damages in legal actions under the Florida Motor Vehicle No-Fault Medical Care Coverage Law in certain circumstances; providing for recovery of tort damages in certain circumstances; providing for motions to dismiss action on specified grounds; prohibiting the award of punitive damages; creating s. 627.7487, F.S.; providing for optional deductibles and limitations of coverage for medical care coverage policies; requiring a specified notice to policyholders; creating s. 627.7488, F.S.; requiring the commission to adopt by rule a form for the notification of insureds of their right to receive medical care coverage benefits; specifying contents of such notice; providing requirements for the mailing or delivery of such notice; creating s. 627.7489, F.S.; providing for mandatory joinder of specified claims; creating s. 627.749, F.S.; providing for an insurer's right of reimbursement for medical care benefits paid to a person injured by a commercial motor vehicle under specified circumstances; creating s. 627.7491, F.S.; providing for application of the Florida Motor Vehicle No-Fault Medical Care Coverage Law; providing for requirements for forms and rates for policies issued or renewed on or after a specified date; requiring a specified notice to existing policyholders; amending ss. 316.646, 318.18,

320.02, 320.0609, 320.27, 320.771, 322.251, 322.34, 324.021, 324.0221, 324.032, 324.171, 400.9935, 409.901, 409.910, 456.057, 456.072, 626.9541, 627.06501, 627.0652, 627.0653, 627.4132, 627.6482, 627.7263, 627.727, 627.7275, 627.728, 627.7295, 627.8405, 627.915, 628.909, 705.184, 713.78, and 817.234, F.S.; conforming provisions; providing a directive to the Division of Statutory Revision; providing applicability; providing for severability; providing effective dates.

—was read the second time by title.

THE SPEAKER IN THE CHAIR

Representative Boyd offered the following:

(Amendment Bar Code: 778195)

Amendment 1—Remove lines 229-234 and insert:

(e) All ~~short form~~ crash reports prepared by law enforcement must be submitted to the department and may ~~shall~~ be maintained by the law enforcement officer's agency.

Rep. Boyd moved the adoption of the amendment, which was adopted.

Representative Boyd offered the following:

(Amendment Bar Code: 096735)

Amendment 2 (with title amendment)—Between lines 234 and 235, insert:

Section 2. Subsection (6) is added to section 400.991, Florida Statutes, to read:

400.991 License requirements; background screenings; prohibitions.—

(6) All agency forms for licensure application or exemption from licensure under this part must contain the following statement:

INSURANCE FRAUD NOTICE.—A person who knowingly submits a false, misleading, or fraudulent application or other document when applying for licensure as a health care clinic, seeking an exemption from licensure as a health care clinic, or demonstrating compliance with part X of chapter 400, Florida Statutes, with the intent to use the license, exemption from licensure, or demonstration of compliance to provide services or seek reimbursement under the Florida Motor Vehicle Medical Care Coverage Law commits a fraudulent insurance act, as defined in s. 626.989, Florida Statutes. A person who presents a claim for medical care coverage benefits knowing that the payee knowingly submitted such application or document commits insurance fraud as defined in s. 817.234, Florida Statutes.

Section 3. Subsection (1) of section 626.989, Florida Statutes, is amended to read:

626.989 Investigation by department or Division of Insurance Fraud; compliance; immunity; confidential information; reports to division; division investigator's power of arrest.—

(1) For the purposes of this section:—

(a) A person commits a "fraudulent insurance act" if the person:

1. Knowingly and with intent to defraud presents, causes to be presented, or prepares with knowledge or belief that it will be presented, to or by an insurer, self-insurer, self-insurance fund, servicing corporation, purported insurer, broker, or any agent thereof, any written statement as part of, or in support of, an application for the issuance of, or the rating of, any insurance policy, or a claim for payment or other benefit pursuant to any insurance policy, which the person knows to contain materially false information concerning any fact material thereto or if the person conceals, for the purpose of misleading another, information concerning any fact material thereto.

2. Knowingly submits:

a. A false, misleading, or fraudulent application or other document when applying for licensure as a health care clinic, seeking an exemption from licensure as a health care clinic, or demonstrating compliance with part X of chapter 400 with an intent to use the license, exemption from licensure, or

demonstration of compliance to provide services or seek reimbursement under the Florida Motor Vehicle Medical Care Coverage Law.

b. A claim for payment or other benefit pursuant to an insurance policy under the Florida Motor Vehicle Medical Care Coverage Law if the person knows that the payee knowingly submitted a false, misleading, or fraudulent application or other document when applying for licensure as a health care clinic, seeking an exemption from licensure as a health care clinic, or demonstrating compliance with part X of chapter 400. For the purposes of this section;

(b) The term "insurer" also includes ~~a~~ ~~any~~ health maintenance organization, and the term "insurance policy" also includes a health maintenance organization subscriber contract.

TITLE AMENDMENT

Between lines 4 and 5, insert:

amending s. 400.991, F.S.; requiring that an application for licensure or exemption from licensure as a health care clinic include a specified statement regarding insurance fraud; amending s. 626.989, F.S.; providing that knowingly submitting false, misleading, or fraudulent documents relating to licensure as a health care clinic or submitting a claim relating to the Florida Motor Vehicle Medical Care Coverage Law is a fraudulent insurance act under certain conditions;

Rep. Boyd moved the adoption of the amendment, which was adopted.

Representative Boyd offered the following:

(Amendment Bar Code: 516597)

Amendment 3—Remove lines 247-272 and insert:

except as provided in paragraph (b) and subsections (10) and (15) and except that any attorney fees recovered are limited to the lesser of the actual fee incurred based upon a rate for attorney services not to exceed \$200 per billable hour or:

1. For any disputed amount of less than \$500, 15 times any disputed amount recovered by the attorney under ss. 627.730-627.7405, limited to a total of \$5,000.

2. For any disputed amount of \$500 or more and less than \$5,000, 10 times any disputed amount recovered by the attorney under ss. 627.730-627.7405, limited to a total of \$10,000.

3. For any disputed amount of \$5,000 or more and up to \$10,000, 5 times any disputed amount recovered by the attorney under ss. 627.730-627.7405, limited to a total of \$15,000.

Fees incurred in litigating or quantifying the amount of fees due to the prevailing party under ss. 627.730-627.7405 are not recoverable.

(b) Notwithstanding s. 627.428, the attorney fees recovered under ss. 627.730-627.7405 shall be calculated without regard to any contingency risk multiplier.

(c) This subsection does not limit the attorney fees an

Remove lines 1390-1414 and insert:

as provided in paragraph (b) and subsections (9) and (13) and except that any attorney fees recovered are limited to the lesser of the actual fee incurred based upon a rate for attorney services not to exceed \$200 per billable hour or:

1. For any disputed amount of less than \$500, 15 times any disputed amount recovered by the attorney under ss. 627.748-627.7491, not to exceed \$5,000.

2. For any disputed amount of \$500 or more and less than \$5,000, 10 times any disputed amount recovered by the attorney under ss. 627.748-627.7491, not to exceed \$10,000.

3. For any disputed amount of \$5,000 or more and up to \$10,000, 5 times any disputed amount recovered by the attorney under ss. 627.748-627.7491, not to exceed \$15,000.

Fees incurred in litigating or quantifying the amount of fees due to the prevailing party under ss. 627.748-627.7491 are not recoverable.

(b) Notwithstanding s. 627.428, the attorney fees recovered under ss. 627.748-627.7491 shall be calculated without regard to any contingency risk multiplier.

(c) Nothing in this subsection limits the attorney fees an

Rep. Boyd moved the adoption of the amendment, which was adopted.

Representative Boyd offered the following:

(Amendment Bar Code: 270691)

Amendment 4—Remove lines 609-613 and insert:
within 7 days after the motor vehicle accident.

3. Services and care rendered when an insured is admitted to a hospital within 7 days after the motor vehicle accident.

4. Emergency services and care rendered to an insured in a hospital who is determined more than 7 days after the motor

Remove lines 650-669 and insert:

1. Services and care rendered within 7 days after the motor vehicle accident by a physician licensed under chapter 458, an osteopathic physician licensed under chapter 459, a dentist licensed under chapter 466, a physician assistant licensed under chapter 458 or chapter 459, or an advanced registered nurse practitioner licensed under chapter 464.

2. If the insured receives services and care pursuant to subparagraph 1., subsequent services and care rendered by a provider listed in subparagraph 1. and directly related to the medical diagnosis arising from the motor vehicle accident.

3. All medically necessary medical, surgical, dental, nursing, or diagnostic ancillary services, hospital or ambulatory surgical center services, durable medical equipment, prosthetics, or orthotics and supplies.

Payment of benefits under this paragraph shall occur only if a person has been determined in a hospital not to have an emergency medical condition or the person did not present herself or himself at a hospital but received treatment from a provider identified in subparagraph 1. within 7 days after the

Rep. Boyd moved the adoption of the amendment, which was adopted.

Representative Boyd and Hukill offered the following:

(Amendment Bar Code: 485831)

Amendment 5—Remove lines 648-663 and insert:

(b) Medical benefits.—Up to a limit of \$2,500, 80 percent of all reasonable expenses as follows:

1. Services and care rendered within 7 days after the motor vehicle accident by a physician licensed under chapter 458, an osteopathic physician licensed under chapter 459, a dentist licensed under chapter 466, a physician assistant licensed under chapter 458 or chapter 459, or an advanced registered nurse practitioner licensed under chapter 464.

2. If the insured receives services and care pursuant to subparagraph 1., subsequent services and care rendered by a provider listed in subparagraph 1. or subparagraph 4. and directly related to the medical diagnosis arising from the motor vehicle accident.

3. All medically necessary medical, surgical, dental, nursing, or diagnostic ancillary services, hospital or ambulatory surgical center services, durable medical equipment, prosthetics, or orthotics and supplies.

4. Services and care rendered by a chiropractic physician licensed under chapter 460 if referred by a physician licensed under chapter 458 or an osteopathic physician licensed under chapter 459. Reimbursement for services provided by a chiropractic physician is limited to the lesser of 24 treatments or services rendered within 12 weeks after the date of the initial chiropractic treatment, whichever occurs first, unless the insurer authorizes additional chiropractic services.

On motion by Rep. Boyd, consideration of **Amendment 5** was temporarily postponed.

Representative Chestnut offered the following:

(Amendment Bar Code: 184997)

Amendment 6—Remove lines 680-682 and insert:

(d) Death benefits.—Death benefits of \$5,000 per individual. Death benefits are in addition to the medical and disability benefits provided under the insurance policy. The insurer shall pay such

Rep. Chestnut moved the adoption of the amendment, which was adopted.

Representative Boyd offered the following:

(Amendment Bar Code: 753425)

Amendment 7 (with title amendment)—Remove line 760 and insert:
the Medicaid program. However, within 30 days after receiving notice that the Medicaid program paid such benefits, the insurer shall repay the full amount of the benefits to the Medicaid program.

T I T L E A M E N D M E N T

Remove line 55 and insert:

circumstances; requiring that an insurer repay any benefits covered by the Medicaid program within a specified period; specifying when benefits are overdue;

Rep. Boyd moved the adoption of the amendment, which was adopted.

Representative Boyd offered the following:

(Amendment Bar Code: 481737)

Amendment 8 (with title amendment)—Remove lines 765-801 and insert:

(b) Medical care coverage benefits paid pursuant to this section are overdue if not paid within 30 days after the insurer is furnished written notice of the fact and amount of a covered loss. However:

1. If such written notice is not furnished to the insurer as to the entire claim, any partial amount supported by the written notice is overdue if not paid within 30 days after the written notice is furnished to the insurer. Any part or all of the remainder of the claim that is subsequently supported by the written notice is overdue if not paid within 30 days after the written notice is furnished to the insurer.

2. If an insurer pays only a portion of a claim or rejects a claim, the insurer shall provide at the time of the partial payment or rejection an itemized specification of each item that the insurer had reduced, omitted, or declined to pay and any information that the insurer desires the claimant to consider related to the medical necessity of the denied treatment or to explain the reasonableness of the reduced charge; however, this does not limit the introduction of evidence at trial. The insurer shall include the name and address of the person to whom the claimant should respond and a claim number to be referenced in future correspondence.

3. If an insurer pays only a portion of a claim or rejects a claim due to an alleged error in the claim, the insurer shall provide at the time of the partial payment or rejection an itemized specification or explanation of benefits of the specified error. Upon receiving the specification or explanation, the person making the claim has, at the person's option and without waiving any other legal remedy for payment, 15 days to submit a revised claim, and the revised claim shall be considered a timely submission of written notice of a claim.

4. Notwithstanding the fact that written notice has been furnished to the insurer, a payment may not be deemed overdue when the insurer has reasonable proof to establish that the insurer is not responsible for the payment.

5. For the purpose of calculating the extent to which any benefits are overdue, payment shall be considered made on the date a draft or other valid instrument that is equivalent to payment was placed in the United States mail

in a properly addressed, postpaid envelope or, if not so posted, on the date of delivery.

6. This paragraph does not preclude or limit the ability of the insurer to assert that the claim was unrelated, was not medically necessary, or was unreasonable or that the amount of the charge was in excess of that permitted under, or in violation of, subsection (5). Such assertion by the insurer may be made at any time, including after payment of the claim or after the 30-day time period for payment set forth in this paragraph.

TITLE AMENDMENT

Remove line 55 and insert:
circumstances; requiring that an insurer provide a claimant an opportunity to revise claims that contain errors; specifying when benefits are overdue;

Rep. Boyd moved the adoption of the amendment, which was adopted.

Representative Nelson offered the following:

(Amendment Bar Code: 843369)

Amendment 9 (with title amendment)—Remove lines 1710-1720 and insert:

627.749 Insurers' right of reimbursement.—

(1) Notwithstanding any other provisions of ss. 627.748-627.7491, any insurer providing medical care coverage benefits on a private passenger motor vehicle shall have, to the extent of any medical care coverage benefits paid to any person as a benefit arising out of such private passenger motor vehicle insurance, a right of reimbursement against the owner or the insurer of the owner of a commercial motor vehicle if the benefits paid result from such person having been an occupant of the commercial motor vehicle or having been struck by the commercial motor vehicle while not an occupant of any self-propelled vehicle.

(2) For purposes of this section, an owner or registrant identified in s. 627.7483(1)(b) is not liable for a right of reimbursement.

TITLE AMENDMENT

Remove line 159 and insert:
specified circumstances; providing an exception; creating s. 627.7491, F.S.;

Rep. Nelson moved the adoption of the amendment, which was adopted.

Representative Boyd offered the following:

(Amendment Bar Code: 125057)

Amendment 10—Remove line 1729 and insert:

(2) The coverage provided under ss. 627.748-627.7491 shall supersede and replace the coverage provided under the Florida Motor Vehicle No-Fault Law, ss. 627.730-627.7405, for any motor vehicle insurance policy issued or renewed on or after the effective date of this act.

(3) After the effective date of this act, insurers must

Rep. Boyd moved the adoption of the amendment, which was adopted.

Representative Boyd offered the following:

(Amendment Bar Code: 154965)

Amendment 11 (with directory and title amendments)—Between lines 2990 and 2991, insert:

(1)(a) A person commits insurance fraud punishable as provided in subsection (11) if that person, with the intent to injure, defraud, or deceive any insurer:

1. Presents or causes to be presented any written or oral statement as part of, or in support of, a claim for payment or other benefit pursuant to an insurance policy or a health maintenance organization subscriber or provider contract, knowing that such statement contains any false, incomplete, or misleading information concerning any fact or thing material to such claim;

2. Prepares or makes any written or oral statement that is intended to be presented to any insurer in connection with, or in support of, any claim for payment or other benefit pursuant to an insurance policy or a health maintenance organization subscriber or provider contract, knowing that such statement contains any false, incomplete, or misleading information concerning any fact or thing material to such claim; ~~or~~

3.a. Knowingly presents, causes to be presented, or prepares or makes with knowledge or belief that it will be presented to any insurer, purported insurer, servicing corporation, insurance broker, or insurance agent, or any employee or agent thereof, any false, incomplete, or misleading information or written or oral statement as part of, or in support of, an application for the issuance of, or the rating of, any insurance policy, or a health maintenance organization subscriber or provider contract; or

b. ~~Who~~ Knowingly conceals information concerning any fact material to such application; or

4. Knowingly presents, causes to be presented, or prepares or makes with knowledge or belief that it will be presented to any insurer a claim for payment or other benefit under a medical care coverage insurance policy if the person knows that the payee knowingly submitted a false, misleading, or fraudulent application or other document when applying for licensure as a health care clinic, seeking an exemption from licensure as a health care clinic, or demonstrating compliance with part X of chapter 400.

DIRECTORY AMENDMENT

Remove line 2987 and insert:

Section 49. Paragraph (a) of subsection (1), paragraph (c) of subsection (7), paragraphs

TITLE AMENDMENT

Remove lines 170-171 and insert:

627.7295, 627.8405, 627.915, 628.909, 705.184, and 713.78, F.S.; conforming provisions; amending s. 817.234, F.S.; providing that it is insurance fraud to present a claim for personal injury protection benefits payable to a person or entity that knowingly submitted false, misleading, or fraudulent applications or other documents relating to licensure as a health care clinic; conforming provisions; providing a

Rep. Boyd moved the adoption of the amendment, which was adopted.

Amendment 5 was taken up, having been temporarily postponed earlier today.

Representatives Boyd and Hukill offered the following:

(Amendment Bar Code: 485831)

Amendment 5—Remove lines 648-663 and insert:

(b) Medical benefits.—Up to a limit of \$2,500, 80 percent of all reasonable expenses as follows:

1. Services and care rendered within 7 days after the motor vehicle accident by a physician licensed under chapter 458, an osteopathic physician licensed under chapter 459, a dentist licensed under chapter 466, a physician assistant licensed under chapter 458 or chapter 459, or an advanced registered nurse practitioner licensed under chapter 464.

2. If the insured receives services and care pursuant to subparagraph 1., subsequent services and care rendered by a provider listed in subparagraph 1. or subparagraph 4. and directly related to the medical diagnosis arising from the motor vehicle accident.

3. All medically necessary medical, surgical, dental, nursing, or diagnostic ancillary services, hospital or ambulatory surgical center services, durable medical equipment, prosthetics, or orthotics and supplies.

4. Services and care rendered by a chiropractic physician licensed under chapter 460 if referred by a physician licensed under chapter 458 or an osteopathic physician licensed under chapter 459. Reimbursement for services provided by a chiropractic physician is limited to the lesser of 24 treatments or services rendered within 12 weeks after the date of the initial chiropractic treatment, whichever occurs first, unless the insurer authorizes additional chiropractic services.

Rep. Boyd moved the adoption of the amendment. Subsequently, **Amendment 5** was withdrawn.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 1207—A bill to be entitled An act relating to vehicles with autonomous technology; defining the term "autonomous technology"; providing legislative intent and findings; amending s. 316.003, F.S.; defining the terms "autonomous vehicle" and "autonomous technology" when used in provisions for traffic control; creating s. 316.85, F.S.; authorizing a person who possesses a valid driver license to operate an autonomous vehicle; specifying that the person who causes the vehicle's autonomous technology to engage is the operator; creating s. 319.145, F.S.; requiring an autonomous vehicle registered in this state to meet federal standards and regulations for a motor vehicle; specifying certain requirements for such vehicle; providing for the application of certain federal regulations; authorizing the operation of vehicles equipped with autonomous technology by certain persons for testing purposes under certain conditions; requiring an instrument of insurance, surety bond, or self-insurance prior to the testing of a vehicle; directing the department to prepare a report on the safe testing and operation of vehicles equipped with autonomous technology and submit the report to the Legislature by a certain date; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HJR 1003—A joint resolution proposing an amendment to Section 3 of Article VII and the creation of Section 32 of Article XII of the State Constitution to provide an additional ad valorem tax exemption for tangible personal property under certain circumstances, authorize counties or municipalities, by ordinance and subject to general law, to provide additional tangible personal property tax exemptions or other ad valorem tax relief for tangible personal property under certain circumstances, apply the amendment to assessments for tax years beginning January 1, 2013, and provide an effective date.

—was read the second time by title.

Representative Eisnaugle offered the following:

(Amendment Bar Code: 277759)

Amendment 1 (with ballot and title amendments)—Remove lines 74-118 and insert:

tangible personal property is subject to tangible personal property tax shall be exempt from ad valorem taxation. Tangible personal property is also exempt from ad valorem taxation if the assessed value of such property is greater than twenty-five thousand dollars but less than fifty thousand dollars.

(2) A county or municipality may, for the purposes of its respective tax levy, provide additional tangible personal property tax exemptions by ordinance, subject to this subsection and as provided in general law.

(f) There shall be granted an ad valorem tax exemption for real property dedicated in perpetuity for conservation purposes, including real property encumbered by perpetual conservation easements or by other perpetual conservation protections, as defined by general law.

(g) By general law and subject to the conditions specified therein, each person who receives a homestead exemption as provided in section 6 of this article; who was a member of the United States military or military reserves, the United States Coast Guard or its reserves, or the Florida National Guard;

and who was deployed during the preceding calendar year on active duty outside the continental United States, Alaska, or Hawaii in support of military operations designated by the legislature shall receive an additional exemption equal to a percentage of the taxable value of his or her homestead property. The applicable percentage shall be calculated as the number of days during the preceding calendar year the person was deployed on active duty outside the continental United States, Alaska, or Hawaii in support of military operations designated by the legislature divided by the number of days in that year.

ARTICLE XII

SCHEDULE

SECTION 32. Tangible personal property; ad valorem tax exemption.—The amendment to Section 3 of Article VII providing that property is exempt from tangible personal property tax if the assessed value of such property is greater than twenty-five thousand dollars but less than fifty thousand dollars shall take effect January 1, 2013, and applies to assessments for tax years beginning on or after January 1, 2013.

BALLOT AMENDMENT

Remove lines 124-144 and insert:

TANGIBLE PERSONAL PROPERTY TAX EXEMPTION.—Proposing an amendment to the State Constitution to:

(1) Provide an exemption from ad valorem taxes levied by counties, municipalities, school districts, and other local governments on tangible personal property if the assessed value of an owner's tangible personal property is greater than \$25,000 but less than \$50,000. This new exemption, if approved by the voters, will take effect on January 1, 2013, and apply to the 2013 tax roll and subsequent tax rolls.

(2) Authorize a county or municipality for the purpose of its respective levy, and as provided by general law, to provide tangible personal property tax exemptions by ordinance. This is in addition to other statewide tangible personal property tax exemptions provided by the Constitution and this amendment.

TITLE AMENDMENT

Remove lines 5-13 and insert:

additional exemption from ad valorem taxes on tangible personal property valued at more than \$25,000 but less than \$50,000, to authorize a county or municipality to provide an additional exemption from ad valorem taxation for tangible personal property by ordinance as provided by general law, and to provide an effective date.

Rep. Eisnaugle moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the joint resolution was referred to the Engrossing Clerk.

CS/CS/CS/HB 711—A bill to be entitled An act relating to the sale or lease of a county, district, or municipal hospital; amending s. 155.40, F.S.; providing definitions; requiring approval from a circuit court for the sale or lease of a county, district, or municipal hospital unless certain exemption or referendum approval applies; requiring the hospital governing board to determine by certain public advertisements whether there are qualified purchasers or lessees before the sale or lease of such hospital; requiring the board to state in writing specified criteria forming the basis of its acceptance of a proposal for sale or lease of the hospital; providing for publication of notice; authorizing submission of written statements of opposition to a proposed transaction to the hospital governing board within a certain timeframe; requiring the board to file a petition for approval with the circuit court and receive approval before any transaction is finalized; providing an exception; specifying information to be included in such petition; providing for the circuit court to issue an order requiring all interested parties to appear before the court under certain circumstances; granting the circuit court

jurisdiction to approve sales or leases of county, district, or municipal hospitals based on specified criteria; providing for a party to seek judicial review; requiring the court to enter a final judgment; requiring the board to pay costs associated with the petition for approval unless a party contests the action; providing exemptions for certain transactions completed before a specified date; providing for cessation of special district taxing authority at sale unless reduced and ratified by referendum; providing that any general or special law that is inconsistent with or otherwise in conflict with the act is specifically superseded by the act; repealing s. 155.41, F.S., relating to applicability of retroactive exemptions for the sale or lease of county, district, or municipal hospitals, to conform to changes made by the act; amending s. 395.3036, F.S.; conforming cross-references and terminology; providing an effective date.

—was read the second time by title.

Representative Hooper offered the following:

(Amendment Bar Code: 298065)

Amendment 1—Remove lines 65-67 and insert:
municipal hospital; or the governing board of the hospital.

Rep. Hooper moved the adoption of the amendment, which was adopted.

Representative Hooper offered the following:

(Amendment Bar Code: 686459)

Amendment 2—Remove lines 434-482 and insert:

(b) Subsections (4)-(13) do not apply to:

1. A county, district, or municipal hospital that has executed a letter of intent to sell or lease the hospital accepted at a properly noticed public meeting and whose governing board has voted to approve the letter of intent before December 31, 2011, if the final closing of the sale or lease transaction pursuant to the letter of intent occurs before December 31, 2012.

2. A county, district or municipal hospital that is under lease as of the effective date of this act, as long as that lease remains in effect in accordance with the terms of the lease or if such lease is modified, extended, or renewed. This exemption includes any transaction, partnership, contract, sublease, or assignment that is entered into pursuant to the terms of a lease agreement in place before the effective date of this act. However, any such hospital becomes subject to this section upon:

a. Termination of the lease, unless the lease termination is the direct result of a new lease involving a partnership, transaction, or contract in which both the existing lessor and lessee agree to the new lease between the lessor and another mutually agreed upon entity;

b. Notification provided to the lessee of a planned termination of the lease in accordance with the lease terms, unless the notification of lease termination is the direct result of a new lease involving a partnership, transaction, or contract under which both the existing lessor and lessee agree to the new lease between the lessor and another mutually agreed upon entity;

c. Notification to the lessee that, upon termination of the lease, the lessor plans to seek potential new lessees or buyers; or

d. Notification to the lessee that, upon termination of the lease, the lessor plans to resume operation of the hospital.

(c) Notwithstanding paragraph (b), a county, district, or municipal hospital that has issued a request for proposals for the sale or lease of a hospital on or before the effective date of this act for purposes of receiving proposals from qualified purchasers or lessees is not subject to subsections (4)-(13) for the duration of the procurement process.

(19) Upon the sale of a county, district, or municipal hospital, any special district taxing authority associated with the hospital ceases on the day following the next general election unless:

(a) The special district owns other hospitals; or

(b) A majority of the voters in the special district, by referendum, approve a continuation of the taxing authority, at a substantially lower millage rate, as determined by the board of the special district, than is levied at the closing date

of the sale. Such referendum shall be placed on the ballot at the next general election.

Rep. Hooper moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/CS/HB 1263—A bill to be entitled An act relating to the Department of Health; amending s. 20.43, F.S.; revising the purpose of the department; revising duties of the State Surgeon General; eliminating the Officer of Women's Health Strategy; revising divisions within the department; amending s. 20.435, F.S.; eliminating the Florida Drug, Device, and Cosmetic Trust Fund and the Nursing Student Loan Forgiveness Trust Fund as trust funds under the department; amending s. 154.05, F.S.; providing that two or more counties may combine for the operation of a county health department when such counties establish an interlocal agreement; providing criteria for such an agreement; specifying that an interlocal agreement may only be terminated at the end of a contract year; requiring the parties to give written notice to the department no less than 90 days before the termination; amending s. 215.5602, F.S.; conforming references; amending s. 381.001, F.S.; revising legislative intent; requiring the Department of Health to be responsible for the state public health system; requiring the department to provide leadership for a partnership involving federal, state, and local government and the private sector to accomplish public health goals; amending s. 381.0011, F.S.; revising duties and powers of the department; repealing s. 381.0013, F.S., relating to the department's authority to exercise the power of eminent domain; repealing s. 381.0014, F.S., relating to department rules that superseded regulations and ordinances enacted by other state departments, boards or commissions, or municipalities; repealing s. 381.0015, F.S., relating to judicial presumptions regarding the department's authority to enforce public health rules; amending s. 381.0016, F.S.; allowing a county to enact health regulations and ordinances consistent with state law; repealing s. 381.0017, F.S., relating to the purchase, lease, and sale of real property by the department; repealing s. 381.0025, F.S., relating to penalties; amending s. 381.003, F.S.; revising provisions relating to the department's responsibility for communicable disease prevention and control programs; amending s. 381.0031, F.S.; permitting the department to conduct studies concerning epidemiology of diseases of public health significance; specifying that the list of diseases of public health significance is based on the recommendations to be nationally notifiable by the Council of State and Territorial Epidemiologists and the Centers for Disease Control and Prevention; authorizing the department to expand the list if a disease emerges for which regular, frequent and timely information regarding individual cases is considered necessary for the prevention and control of a disease specific to Florida; amending s. 381.00315, F.S.; requiring the department to establish rules for conditions and procedures for imposing and releasing a quarantine; requiring specific provisions to be included in rules; providing that the rules established under this section supersede all rules enacted by other state agencies, boards, or political subdivisions; providing that a violation of the rules established under the section, a quarantine, or requirement adopted pursuant to a declared public health emergency is a second-degree misdemeanor; providing penalties; repealing s. 381.0032, F.S., relating to epidemiological research; repealing s. 381.00325, F.S., relating to the Hepatitis A awareness program; amending s. 381.0034, F.S.; deleting an obsolete qualifying date reference; repealing s. 381.0037, F.S., relating to legislative findings and intent with respect to AIDS; amending s. 381.004, F.S.; deleting legislative intent; conforming cross-references; amending 381.0046, F.S.; requiring the department to establish dedicated HIV and AIDS regional and statewide minority coordinators; deleting the requirement that the statewide director report to the chief of the Bureau of HIV and AIDS within the department; amending s. 381.005, F.S.; deleting the requirement that hospitals implement a plan to offer immunizations for pneumococcal bacteria and influenza virus to all patients 65 years of age or older; amending s. 381.0051, F.S.; deleting legislative intent for the Comprehensive Family Planning Act; amending s. 381.0052, F.S., relating to the "Public Health Dental Program Act"; repealing unused department rulemaking authority; amending s. 381.0053, F.S., relating to the comprehensive nutrition program;

repealing unused department rulemaking authority; repealing s. 381.0054, F.S., relating to healthy lifestyles promotion by the department; amending s. 381.0056, F.S., relating to the "School Health Services Act"; deleting legislative findings; deleting the requirement that school health programs funded by health care districts or entities be supplementary to and consistent with the act and other applicable statutes; amending s. 381.0057, F.S., relating to funding for school health services; deleting legislative intent; amending s. 381.00591, F.S.; permitting the department to apply for and become a National Environmental Laboratory Accreditation Program accreditation body; eliminating rulemaking authority of the department to implement standards of the National Environmental Laboratory Accreditation Program; amending s. 381.00593, F.S.; removing unused rulemaking authority relating to the public school volunteer health care practitioner program; amending s. 381.0062, F.S., relating to the "Comprehensive Family Planning Act"; deleting legislative intent; conforming a cross-reference; amending s. 381.0065, F.S., relating to regulation of onsite sewage treatment and disposal systems; deleting legislative intent; conforming provisions to changes made by the act; amending s. 381.0068, F.S.; deleting a date by which a technical review and advisory panel must be established within the department for assistance with rule adoption; deleting the authority of the chair of the panel to advise affected persons or the Legislature of the panel's position on legislation, proposed state policy, or other issue; amending s. 381.0072, F.S.; revising the definition of the term "food establishment" to include facilities participating in the United States Department of Agriculture Afterschool Meal Program; amending s. 381.00781, F.S.; eliminating authority of the department to annually adjust maximum fees according to the Consumer Price Index; amending s. 381.0086, F.S.; revising department rulemaking authority relating to migrant farmworkers and other migrant labor camp or residential migrant housing occupants; removing lighting and maintenance and operation of roads from the list of health and safety standards to be created by the department; conforming a cross-reference; amending s. 381.0098, F.S.; deleting legislative intent with respect to standards for the safe packaging, transport, storage, treatment, and disposal of biomedical waste; conforming a cross-reference; amending s. 381.0101, F.S.; deleting legislative intent regarding certification of environmental health professionals; providing for the Division Director for Emergency Preparedness and Community Support to serve on an environmental health professionals advisory board; conforming a cross-reference; amending s. 381.0203, F.S.; eliminating the regulation of drugs, cosmetics, and household products under ch. 499, F.S., from the pharmacy services program; eliminating the contraception distribution program at county health departments; amending s. 381.0261, F.S.; requiring the department, rather than the Agency for Health Care Administration, to publish a summary of the Florida Patient's Bill of Rights and Responsibilities on its Internet website; deleting the requirement to print and distribute the summary; repealing s. 381.0301, F.S. relating to the Centers for Disease Control and Prevention, the State University System, Florida medical schools, and the College of Public Health of the University of South Florida; deleting the requirement that the College of Public Health be consulted by state officials in the management of public health; repealing s. 381.0302, F.S.; eliminating the Florida Health Services Corps; amending s. 381.0303, F.S.; eliminating the requirement that the Special Needs Shelter Interagency Committee submit recommendations to the Legislature; repealing s. 381.04015, F.S.; eliminating the Women's Health Strategy Office and Officer of Women's Health Strategy; amending s. 381.0403, F.S., relating to the "Community Hospital Education Act"; deleting legislative findings and intent; revising the mission of the program; requiring minimum funding for graduate education in family practice; deleting reference to an intent to establish a statewide graduate medical education program; amending s. 381.0405, F.S.; deleting an appropriation to the Office of Rural Health; amending s. 381.0406, F.S.; deleting unnecessary introductory language in provisions relating to rural health networks; repealing s. 381.0407, F.S., to eliminate the mandatory payment of claims from public health care providers and county health departments by managed care plans; repealing s. 381.045, F.S.; eliminating department authority to provide services to certain health care providers infected with Hepatitis B or HIV; amending s. 381.06015, F.S.; deleting obsolete provision that requires the department, the Agency for Health Care Administration, and private

consortium members seeking private or federal funds to initiate certain program actions relating to the Public Cord Blood Tissue Bank; repealing s. 381.0605, F.S., relating to designating the Agency for Health Care Administration as the state agency to administer the Federal Hospital and Medical Facilities Amendments of 1964; eliminating authority of the Governor to provide for administration of the amendments; repealing ss. 381.1001-381.103, F.S., the Florida Community Health Protection Act; amending s. 381.4018, F.S.; deleting legislative findings and intent with respect to physician workforce assessment and development; conforming a cross-reference; repealing s. 381.60225, F.S., to eliminate background screening requirements for health care professionals and owners, operators, and employees of certain health care providers, services, and programs; repealing ss. 381.732-381.734, F.S., the "Healthy People, Healthy Communities Act"; amending s. 381.7352, F.S.; deleting legislative findings relating to the "Reducing Racial and Ethnic Health Disparities: Closing the Gap Act"; amending s. 381.7353, F.S.; removing the authority of the State Surgeon General to appoint an ad hoc committee to study certain aspects of racial and ethnic health outcome disparities and make recommendations; amending s. 381.7356, F.S.; deleting a provision requiring dissemination of Closing the Gap grant awards to begin on a date certain; amending s. 381.765, F.S.; repealing unused rulemaking authority relating to records and recordkeeping for department-owned property; repealing s. 381.77, F.S., to eliminate the annual survey of nursing home residents age 55 and under; repealing s. 381.795, F.S., to eliminate the requirement that the department establish a program of long-term community-based supports and services for individuals with traumatic brain or spinal cord injuries; amending s. 381.853, F.S.; deleting legislative findings relating to brain tumor research; repealing s. 381.855, F.S., which established the Florida Center for Universal Research to Eradicate Disease; repealing s. 381.87, F.S., to eliminate the osteoporosis prevention and education program; repealing s. 381.90, F.S., to eliminate the Health Information Systems Council; amending s. 381.91, F.S., relating to the Jesse Trice Cancer Program; revising legislative intent; amending s. 381.922, F.S.; conforming a reference; amending s. 383.011, F.S.; requiring the Department of Health to establish an interagency agreement with the Department of Children and Family Services for management of the Special Supplemental Nutrition program for Women, Infants, and Children; specifying responsibilities of each department; creating s. 383.141, F.S.; providing legislative findings; providing definitions; requiring that health care providers provide pregnant women with current information about the nature of the developmental disabilities tested for in certain prenatal tests, the accuracy of such tests, and resources for obtaining support services for Down syndrome and other prenatally diagnosed developmental disabilities; providing duties for the Department of Health concerning establishment of an information clearinghouse; creating an advocacy council within the Department of Health to provide technical assistance in forming the clearinghouse; providing membership for the council; providing duties of the council; providing terms for members of the council; providing for election of a chairperson and vice chairperson; providing meeting times for the council; requiring the members to serve without compensation or reimbursement for travel expenses; authorizing meetings by teleconference or other electronic means; requiring the Department of Health to provide administrative support; repealing s. 385.210, F.S., the Arthritis Prevention and Education Act by a specific date; amending s. 391.016, F.S.; clarifying the purposes and functions of the Children's Medical Services program; requiring the coordination and maintenance of a medical home for participating children; amending s. 391.021, F.S.; revising definitions; amending s. 391.025, F.S.; revising the components of the Children's Medical Services program; amending s. 391.026, F.S.; revising the powers and duties of the department in administering the Children's Medical Services network; amending s. 391.028, F.S.; eliminating the central office and area offices of the Children's Medical Services program; authorizing the Director of Children's Medical Services to appoint necessary staff and contract with providers to establish a system to provide certain program activities on a statewide basis; amending s. 391.029, F.S.; specifying eligibility for services provided under the Children's Medical Services program; clarifying who may receive services under the program; deleting the requirement that the department determine financial and medical eligibility for program; deleting the requirement that the

department determine the financial ability of parents to pay for services; eliminating discretion of the department to pay reasonable travel expenses; amending s. 391.0315, F.S.; deleting a prohibition against a child eligible under Title XIX or XXI of the Social Security Act from receiving services under the program until the child is enrolled in Medicaid or a Title XXI program; amending s. 392.51, F.S., relating to tuberculosis control; removing legislative findings and intent; amending s. 392.61, F.S.; eliminating the requirement that the department develop a methodology for distributing funds appropriated for community tuberculosis control programs; amending s. 392.62, F.S.; requiring a contractor to use licensed community hospitals and other facilities for the care and treatment of persons who have active tuberculosis or a history of noncompliance with prescribed drug regimens and require inpatient or other residential services; removing authority of the department to operate a licensed hospital to treat tuberculosis patients; requiring the tuberculosis control program to fund participating facilities; requiring facilities to meet specific conditions; requiring the department to develop a transition plan for the closure of A.G. Holley State Hospital; specifying content of transition plan; requiring submission of the plan to the Governor and Legislature; requiring full implementation of the transition plan by a certain date; amending s. 401.243, F.S.; repealing unused rulemaking authority governing the implementation of injury-prevention grant programs; amending s. 401.245, F.S.; repealing unused rulemaking authority relating to operating procedures for the Emergency Medical Services Advisory Council; amending s. 401.271, F.S.; repealing unused rulemaking authority relating to an exemption for the spouse of a member of the Armed Forces of the United States on active duty from certification renewal provisions while the spouse is absent from the state because of the member's active duty with the Armed Forces; repealing s. 402.45, F.S.; repealing unused rulemaking authority relating to the community resource mother or father program; amending s. 403.863, F.S.; directing the department to contract to perform state public water supply laboratory certification application review and evaluation and laboratory inspections; adding certain actions to the list of acts constituting grounds for which disciplinary actions may be taken under the section; amending ss. 400.914 and 409.256, F.S.; conforming references; repealing s. 458.346, F.S., which created the Public Sector Physician Advisory Committee and established its responsibilities; amending s. 462.19, F.S., relating to the renewal of licenses for practitioners of naturopathy; repealing unused rulemaking authority; amending s. 464.019, F.S., requiring the Board of Nursing to deny a program application for new prelicensure nursing education program while the existing program is on probationary status; repealing s. 464.0197, F.S., relating to state budget support for the Florida Center for Nursing; amending s. 464.208, F.S.; repealing unused rulemaking authority relating to background screening information of certified nursing assistants; repealing s. 466.00775, F.S., relating to unused rulemaking authority relating to dental health access and dental laboratory registration provisions; amending ss. 212.08, 499.003, 499.601, and 499.61, F.S.; updating departmental designation; amending s. 514.011, F.S.; revising the definition of "public bathing place"; amending s. 514.021, F.S.; restricting rulemaking authority of the department; limiting scope of standards for public pools and public bathing places; prohibiting the department from adopting by rule any regulation regarding the design, alteration, or repair of a public pool or public bathing; eliminating authority of the department to review plans, issue approvals, and enforce occupancy provisions of the Florida Building Code; amending s. 514.023, F.S.; adding public bathing places to the provisions allowing sampling of beach waters to determine sanitation and allowing health advisories to be issued for elevated levels of bacteria in such waters; deleting an obsolete provision; amending s. 514.025, F.S.; requiring the department to review applications and plans for the construction or placement of public pools or bathing places; providing for the department to review applications and plans if no qualified staff are employed at the county health department; establishing that the department is responsible to monitor water quality in public pools and bathing places; amending s. 514.03, F.S.; permitting local governments or local enforcement districts to determine compliance with general construction provisions of the Florida Building Code; permitting local governments or local enforcement districts to conduct plan reviews and inspections of public pools and bathing places to determine compliance; eliminating an application process for review of

building plans for a public pool or bathing place by the department; amending s. 514.031, F.S.; requiring a valid permit from the department to operate a public pool; revising the list of documents that must accompany an application for a permit to operate a public pool; providing the department with authority to review, approve, and deny an application for a permit to operate a public pool; amending s. 514.033, F.S.; deleting authority of the department to establish a fee schedule; requiring fees collected by the department or county health department to be deposited into the Grants and Donations Trust Fund or the County Health Department Trust Fund; amending s. 514.05, F.S.; requiring all amounts collected to be deposited in the Grants and Donations Trust Fund or the County Health Department Trust Fund; granting the county health department the authority to close a public pool that is not in compliance with ch. 514, F.S., or applicable rules; amending s. 514.06, F.S.; deeming a public pool or bathing place to present a significant risk to public health by failing to meet water quality and safety to be a public nuisance; allowing for a public nuisance to be abated or enjoined; amending s. 633.115, F.S.; making conforming changes; amending s. 1009.66, F.S.; reassigning responsibility for the Nursing Student Loan Forgiveness Program from the Department of Health to the Department of Education; amending s. 1009.67, F.S.; reassigning responsibility for the nursing scholarship program from the Department of Health to the Department of Education; providing type two transfers of the programs; providing for transfer of a trust fund; providing applicability to contracts; authorizing transfer of funds and positions between departments; requiring the Division of Medical Quality and Assurance to create a plan to improve efficiency of the function of the division; directing the division to take certain actions in creating the plan; directing the division to address particular topics in the plan; requiring all executive branch agencies to assist the department in creating the plan; requesting all other state agencies to assist the department in creating the plan; amending ss. 154.503, 381.0041, 384.25, 392.56, 395.1027, 411.203, 456.032, 513.10, 768.28, and 775.0877, F.S.; conforming cross-references; providing effective dates.

—was read the second time by title.

Representative Hudson offered the following:

(Amendment Bar Code: 779567)

Amendment 1 (with title amendment)—Remove lines 2123-2125 and insert:
assisted living facilities, facilities participating in the United States Department of Agriculture Afterschool Meal Program that are located at a facility or site that is not inspected by another state agency for compliance with sanitation standards,

TITLE AMENDMENT

Remove line 122 and insert:
 "food establishment" to include certain facilities

Rep. Hudson moved the adoption of the amendment, which was adopted.

Representative Diaz offered the following:

(Amendment Bar Code: 371107)

Amendment 2—Remove line 2760 and insert:
fiscal management of the program. Responsibilities are delegated to

Rep. Diaz moved the adoption of the amendment, which was adopted.

Representative Hudson offered the following:

(Amendment Bar Code: 029053)

Amendment 3—Remove lines 3077-3078 and insert:
specialized services an eligible individual.

Rep. Hudson moved the adoption of the amendment, which was adopted.

Representative Hudson offered the following:

(Amendment Bar Code: 556011)

Amendment 4 (with title amendment)—Between lines 3497 and 3498, insert:

Section 96. Subsection (1) of section 464.203, Florida Statutes, is amended to read:

464.203 Certified nursing assistants; certification requirement.—

(1) The board shall issue a certificate to practice as a certified nursing assistant to any person who demonstrates a minimum competency to read and write and successfully passes the required background screening pursuant to s. 400.215 and meets one of the following requirements:

(a) Has successfully completed an approved training program and achieved a minimum score, established by rule of the board, on the nursing assistant competency examination, which consists of a written portion and skills-demonstration portion approved by the board and administered at a site and by personnel approved by the department.

(b) Has achieved a minimum score, established by rule of the board, on the nursing assistant competency examination, which consists of a written portion and skills-demonstration portion, approved by the board and administered at a site and by personnel approved by the department and:

1. Has a high school diploma, or its equivalent; or
2. Is at least 18 years of age.

(c) Is currently certified in another state; is listed on that state's certified nursing assistant registry; and has not been found to have committed abuse, neglect, or exploitation in that state.

(d) Has completed the curriculum developed under the Enterprise Florida Jobs and Education Partnership Grant by the Department of Education and achieved a minimum score, established by rule of the board, on the nursing assistant competency examination, which consists of a written portion and skills-demonstration portion, approved by the board and administered at a site and by personnel approved by the department.

TITLE AMENDMENT

Between lines 342 and 343, insert:

amending s. 464.203, F.S.; revising the certification requirements for certified nursing assistants;

Rep. Hudson moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

Consideration of **CS/CS/CS/HB 1399** was temporarily postponed.

CS/CS/HB 495—A bill to be entitled An act relating to the State University System optional retirement program; amending s. 121.35, F.S.; increasing to no more than six the number of companies from which contracts may be purchased under the program; providing a procurement process for additional provider companies; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 1297—A bill to be entitled An act relating to City of Dania Beach, Broward County; extending the corporate limits of the City of Dania Beach to include the area that extends 3 miles into the Atlantic Ocean from the city's existing shoreline; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1211—A bill to be entitled An act relating to the Coral Springs Improvement District, Broward County; amending chapter 2004-469, Laws of Florida; revising the terms of office for members of the board of

supervisors; revising elections procedures for the board of supervisors; revising the method of compensation for members of the board of supervisors; revising quorum requirements for landowner meetings; conforming contract bidding requirements to general law and providing additional requirements for procurement of goods or services; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 1153—A bill to be entitled An act relating to Broward County; amending chapter 75-350, Laws of Florida, as amended; revising provisions relating to the governing of municipal elections in the county; revising the dates on which municipal candidates must file qualification papers and pay certain fees with respect to certain elections; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

Motion to Adjourn

Rep. Weatherford moved that the House, after receiving reports, adjourn for the purpose of holding committee and subcommittee meetings and conducting other House business, to reconvene at 10:00 a.m., Friday, March 2, 2012, or upon call of the Chair. The motion was agreed to.

Messages from the Senate

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has concurred in House Amendment 1 and passed CS for SB 2, as further amended.

Debbie Brown, Secretary

Votes After Roll Call

[Date(s) of Vote(s) and Sequence Number(s)]

Rep. Artiles

Yeas—February 23: 863, 864

Rep. Bembry

Nays—February 28: 923

Rep. Bullard

Yeas—February 28: 922

Rep. Cannon

Yeas—February 3: 682

Rep. Clarke-Reed

Nays—February 28: 925

Rep. Grimsley

Yeas—February 28: 923

Rep. Jenne

Yeas—February 23: 843, 866; February 27: 917

Rep. Patronis

Yeas—February 23: 898

Rep. Rehwinkel Vasilinda

Yeas—February 28: 923

Rep. Slosberg

Yeas—February 23: 869

Rep. Van Zant

Yeas—February 28: 922, 923

Rep. A. Williams

Yeas—February 16: 787

Cosponsors

CS/CS/HB 3—Corcoran

HB 13—Mayfield, T. Williams

CS/HB 37—Mayfield

HM 83—Eisnaugle, Harrell

CS/HB 133—T. Williams

CS/CS/CS/HB 177—Baxley, Costello, Glorioso, Grant, Pilon

CS/HM 205—Corcoran, Frishe, Glorioso, Harrell, Hooper, Nuñez, Pilon, Rehwinkel Vasilinda, Steube

CS/HB 277—Corcoran, Davis, Porter

CS/HB 309—Campbell

CS/HB 429—Young

CS/CS/HB 445—Porth

HM 499—Eisnaugle, Harrell, Nuñez, Pilon, Steube

CS/CS/CS/CS/HB 503—Young

CS/CS/HB 529—Young

CS/HB 621—Tobia

CS/HB 691—Coley

CS/CS/CS/HB 799—Campbell

CS/HB 813—Patronis

CS/CS/CS/HB 859—Young

CS/CS/CS/HB 999—Grimsley

CS/HB 1059—Ahern, Coley

HB 1083—Campbell

HB 1105—Campbell, Rooney

HB 1209—Albritton, Harrell, Harrison, Ingram, T. Williams

CS/HM 1249—Eisnaugle, Harrell, Pilon, Steube

CS/CS/CS/HB 1263—Campbell

CS/HM 1281—Harrell, Pilon

CS/HB 1313—Campbell

CS/HM 1349—Pilon

CS/HB 1373—Corcoran, Frishe, Harrell, Hooper, Patronis, Steube

HB 1381—Rooney

HB 1433—Costello

HR 1447—Burgin, Campbell, Corcoran, Eisnaugle, Glorioso, Harrell, Julien, McBurney, Nuñez, Pafford, Perry, Pilon, Porter, K. Roberson

HB 4001—Eisnaugle, Harrell

HB 5501—Young

CS/HB 7003—Young

CS/HB 7045—Young

HB 7051—Young

HR 9017—Metz

House Resolutions Adopted by Publication

At the request of Rep. A. Williams—

HR 9037—A resolution honoring Daryl Parks, President of the National Bar Association.

WHEREAS, during the National Bar Association's 85th Annual Convention held in New Orleans in August 2010, Daryl Parks was elected as President of this prestigious organization, an office he assumed in 2011, and

WHEREAS, founded in 1925, the National Bar Association, which represents a professional network of over 20,000 lawyers, judges, educators, and law students, is the nation's oldest and largest national association of predominantly African-American lawyers and judges, and

WHEREAS, Daryl Parks, a founding and managing partner of Parks & Crump, LLC, is a Florida A & M University alumnus, having received his bachelor's degrees in political science and economics while serving as the first Student Government Association President to be elected to two consecutive terms in the university's history, and

WHEREAS, Daryl Parks, who entered law school with the purpose of making a difference in his community, received his Juris Doctorate from Florida State University's College of Law, and

WHEREAS, as an attorney in Tallahassee, Daryl Parks' passion for the law specifically includes protecting those incapable of protecting themselves, and he has established himself as a methodical businessman and tenacious attorney who fights for justice, and

WHEREAS, known for his compassion, community service, and devotion to Florida A & M University, Daryl Parks currently sits on the Boards of Directors of the Florida Justice Association, the Tallahassee Urban League, the Leon County Sickie Cell Foundation, and the Florida A & M University Foundation, and

WHEREAS, as President of the National Bar Association, Daryl Parks uses his leadership to foster relationships between the organization's past and its bright future, working tirelessly to take the National Bar Association to new heights, to expand its membership, and to continue improving the administration of justice with honor and integrity, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That Daryl Parks is recognized for his outstanding achievements as President of the National Bar Association.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Daryl Parks as a tangible token of the sentiments expressed herein.

—was read and adopted by publication pursuant to Rule 10.17.

At the request of Rep. A. Williams—

HR 9045—A resolution honoring Tavoris Cloud, the International Boxing Federation Light Heavyweight Champion.

WHEREAS, a native of Tallahassee, Florida, Tavoris "Thunder" Cloud knew at the age of 16 that he would become a boxer and believed that he had the skills and will to become a world champion, and

WHEREAS, guided by recent Boxing Hall of Famer Al Bonanni, Tavoris embarked upon a grueling and dedicated training regimen designed to ensure that his rise from amateur to champion would be successful, and

WHEREAS, as a result, Tavoris had success early, winning the U.S. Under-19 National Championship in 2000 and, in his professional debut in 2004 in Ocala, Florida, beating undefeated Luis Reyes by a third round TKO, and

WHEREAS, with his undefeated record currently at 23 wins, 19 of which were by knockout, a staggering knockout percentage of 83 percent, and known for throwing close to 100 punches a round, Tavoris "Thunder" Cloud is a determined, strong, and relentless opponent in the ring, and

WHEREAS, in 2009, Tavoris earned his title as IBF Light Heavyweight Champion in a stellar performance against veteran opponent Clinton Woods, and is patiently awaiting his next major opportunity to quiet any remaining skeptics and establish his position among the boxing elite, and

WHEREAS, with a growing fan base that recognizes his drive and talent each time he enters the ring and with each succeeding victory affirming that recognition, Tavoris Cloud's popularity and renown in the worldwide boxing community will inevitably grow, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That Tavoris "Thunder" Cloud is congratulated on winning the International Boxing Federation Light Heavyweight Championship and is extended sincere wishes for a long and continuing career of championship success.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Tavoris Cloud as a tangible token of the sentiments expressed herein.

—was read and adopted by publication pursuant to Rule 10.17.

At the request of Rep. Ford—

HR 9061—A resolution recognizing June 1, 2012, as "Men's Low TESTosterone Awareness Day" in Florida.

WHEREAS, an estimated 13 million men in the United States are affected by hypogonadism, also known as low testosterone, and

WHEREAS, low testosterone is defined as less than 300 nanograms per deciliter of blood, which a simple blood test can diagnose, and

WHEREAS, men over the age of 45 with common health problems such as obesity, diabetes, and high blood pressure may be twice as likely as other men their age to have low testosterone, and

WHEREAS, men with high cholesterol, prostate disease, and asthma are also more likely to have low testosterone than healthy men, and

WHEREAS, there is a high prevalence of low testosterone levels in HIV-infected men associated with weight loss, progression to AIDS, wasting, depression, and loss of muscle mass and exercise capacity, and

WHEREAS, low testosterone levels may significantly impair quality of life resulting in loss of body and facial hair, weakened bones, increased body fat, depression, sleep disturbances, and fatigue, and

WHEREAS, despite the high prevalence of low testosterone in men, testosterone deficiency is undertreated and overlooked because men frequently ignore their symptoms or attribute them to other causes such as aging or diseases associated with aging, and

WHEREAS, many men with low testosterone could benefit from treatments now available to them, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That June 1, 2012, is recognized as "Men's Low TESTosterone Awareness Day" and citizens of this state are encouraged to observe this day by participating in educational and other activities to raise awareness about testosterone deficiency in men, learn how to improve the quality of life for people in Florida suffering from the condition by raising awareness and screening for the condition, and enhance patient and primary care physician communication about the symptoms and treatment options available for the condition.

—was read and adopted by publication pursuant to Rule 10.17.

Excused

Rep. Randolph

The following Conference Committee Managers were excused in order to conduct business with their Senate counterparts:

HB 5001, HB 5003, HB 5005, HB 5007, HB 5009, and HB 5011 to serve with Rep. Grimsley, Chair; At-Large: Reps. Aubuchon, Chestnut, Dorworth, Frishe, Holder, Hukill, Jones, Legg, Lopez-Cantera, McKeel, Sands, Saunders, Schenck, Snyder, and Weatherford; HB 5601 and SB 1986, House Agriculture & Natural Resources/Senate General Government—Rep. T. Williams, Chair, and Reps. Artiles, Bembry, Boyd, Crisafulli, Goodson, and Porter; CS/HB 843, HB 5501, HB 5503, HB 5505, HB 5507, CS/HB 5509, and HB 5511, House Government Operations/Senate General Government—Rep. Hooper, Chair, and Reps. Berman, Gibbons, Mayfield, Nelson, Patronis, Watson, and Weinstein; HB 5301, HB 5303, and SB 1990, House Health Care/Senate Health and Human Services—Rep. Hudson, Chair, and Reps. Baxley, Bileca, Cocoran, Cruz, Davis, Diaz, Pafford, Schwartz, Wood, and Young; HB 5201, CS/HB 5203, and SB 1994, House Higher Education/Senate Higher Education—Rep. O'Toole, Chair, Rep. Proctor, Acting Co-Chair, Rep. Gonzalez, Acting Co-Chair, and Reps. Ahern, Bullard, Harrison, Nuñez, Oliva, Passidomo, Reed, Stargel, Taylor, Trujillo, and A. Williams; HB 5401, HB 5403, HB 5405, SB 1958, SB 1960, SB 1964, and SB 1968, House Justice/Senate Criminal and Civil Justice—Rep. Glorioso, Chair, and Reps. Eisnagle, Grant, Harrell, McBurney, Metz, Perry, Pilon, Rouson, Soto, and Waldman; HB 5101 and CS/HB 5103, House PreK-12/Senate Education PreK-12—Rep. Coley, Chair, and Reps. Adkins, Clarke-Reed, Fresen, Gaetz, Hager, Kiar, Logan, Smith, and Thompson; SB 1996 and SB 1998, House Transportation & Economic Development/Senate Transportation, Tourism and Economic Development—Rep. Horner, Chair, and Reps. Bernard, Brandes, Brodeur, Broxson, Burgin, Drake, Nehr, Rogers, and Workman; CS/CS/HB 87, CS/HB 737, HB 5701, HB 5703, and HB 7087, House Finance & Tax/Senate Finance and Tax—Rep. Precourt, Chair, and Reps. Albritton, Caldwell, Costello, Julien, Ray, Randolph, Rooney, Steube, and Thurston.

Adjourned

Pursuant to the motion previously agreed to, the House adjourned at 5:35 p.m., to reconvene at 10:00 a.m., Friday, March 2, 2012, or upon call of the Chair.

CHAMBER ACTIONS ON BILLS

Thursday, March 1, 2012

CS/CS/HB	3 — Read 3rd time; CS passed as amended; YEAS 72, NAYS 43	CS/HJR	1003 — Read 2nd time; Amendment 277759 adopted; Placed on 3rd reading
CS for SB	98 — Read 3rd time; Amendment 238871 Failed; Amendment 043009 Failed; CS passed; YEAS 88, NAYS 27	CS/CS/HB	1045 — Read 3rd time; CS passed; YEAS 111, NAYS 0
CS/CS/HB	119 — Read 2nd time; Amendment 778195 adopted; Amendment 096735 adopted; Amendment 516597 adopted; Amendment 270691 adopted; Amendment 184997 adopted; Amendment 753425 adopted; Amendment 481737 adopted; Amendment 843369 adopted; Amendment 125057 adopted; Placed on 3rd reading; Amendment 154965 adopted	CS/CS/CS/HB	1115 — Read 3rd time; Amendment 478303 adopted; CS passed as amended; YEAS 78, NAYS 38
CS/CS/CS/HB	177 — Read 3rd time; Amendment 309873 adopted; Amendment 858199 adopted; CS passed as amended; YEAS 112, NAYS 4	HB	1153 — Read 2nd time; Placed on 3rd reading
CS/HB	277 — Read 3rd time; Amendment 158743 Failed; Amendment 567239 Failed; Amendment 966657 Failed; Amendment 650669 Failed; CS passed; YEAS 78, NAYS 33	CS/CS/CS/HB	1191 — Read 3rd time; Amendment 408249 Failed; CS passed; YEAS 80, NAYS 34
CS/CS/HB	431 — Read 3rd time; Amendment 674097 adopted; CS passed as amended; YEAS 115, NAYS 0	CS/CS/CS/HB	1205 — Read 2nd time; Amendment 669955 adopted; Placed on 3rd reading
CS/CS/HB	495 — Read 2nd time; Placed on 3rd reading	CS/HB	1207 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	565 — Temporarily postponed, on 3rd Reading	HB	1209 — Read 3rd time; Passed; YEAS 92, NAYS 24
HB	689 — Read 3rd time; Amendment 160417 Failed; Amendment 301237 Failed; Passed; YEAS 91, NAYS 24	CS/HB	1211 — Read 2nd time; Placed on 3rd reading
CS/CS/CS/HB	711 — Read 2nd time; Amendment 298065 adopted; Amendment 686459 adopted; Placed on 3rd reading	CS/CS/CS/HB	1263 — Read 2nd time; Amendment 779567 adopted; Amendment 371107 adopted; Amendment 029053 adopted; Amendment 556011 adopted; Placed on 3rd reading
CS/HB	813 — Read 3rd time; CS passed; YEAS 80, NAYS 31	HB	1297 — Read 2nd time; Placed on 3rd reading
CS/CS/CS/HB	859 — Read 2nd time; Placed on 3rd reading	CS/HB	1373 — Read 3rd time; CS passed; YEAS 116, NAYS 0
CS/CS/CS/HB	903 — Read 2nd time; Placed on 3rd reading	CS/CS/CS/HB	1399 — Temporarily postponed, on 2nd Reading
		CS/CS/HB	1401 — Read 3rd time; Amendment 807697 Failed; CS passed; YEAS 92, NAYS 23
		CS/CS/CS/HB	1403 — Read 2nd time; Amendment 882479 adopted; Placed on 3rd reading
		HB	4001 — Read 3rd time; Passed; YEAS 82, NAYS 34
		CS/HB	7055 — Temporarily postponed, on 3rd Reading
		HB	7129 — Read 2nd time; Amendment 113839 adopted; Placed on 3rd reading

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